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MODERN CHIVALRY.

MODERN CHIVALRY:

CONTAINING THE

ADVENTURES OF A CAPTAIN,

AND

TEAGUE O'REGAN,

HIS SERVANT.

BY H. H. BRACKENRIDGE.

QUID VETAT RIDENTEM DICERE VERUM.....HOR.

VOLUME I.

PUBLISHED BY

J. CONRAD & CO. NO. 30, CHESNUT-STREET, PHILADELPHIA; M. AND J CONRAD & CO. NO 138, MARKET-STREET, BALTIMORE; RAPIN, CONRAD & CO. WASHINGTON CITY; SOMERVELL & CONRAD, PETERSBURG; AND BONSAL, CONRAD & CO. NORFOLK.

S. H. M'FETRICH, PRINTER.

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1804.

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INTRODUCTION.

IT has been a question for some time past, what would be the best means to fix the English language. Some have thought of Dictionaries; others of Institutes, for that purpose. Swift, I think it was, who proposed, in his letters to the Earl of Oxford, the forming an academy of learned men, in order by their observations and rules, to settle the true spelling, accentuation, and pronunciation, as well as the proper words, and the purest, most simple, and perfect phraseology of language. It has always appeared to me, that if some great master of stile should arise, and without regarding sentiment, or subject, give an example of good language in his composition, which might serve as a model to future speakers and writers, it would do more to fix the orthography, choice of word, idiom of phrase, and structure of sentence, than all the Dictionaries and Institutes that have been ever made. For certainly, it is much more conducive to this end, to place before the eyes what is good writing, than to suggest it to the ear, which may forget in a short time all that has been said.

It is for this reason, that I have undertaken this work; and that it may attain the end the more perfectly, I shall consider language only, not in the least regarding the matter of the work; but, as mu-

sicians, when they are about to give the most excellent melody, pay no attention to the words that are set to music; but take the most unmeaning phrases, such as sol, fa, la; so here, culling out the choicest flowers of diction, I shall pay no regard to the idea; for it is not in the power of human ingenuity to attain two things perfectly at once. Thus we see, that they mistake greatly, who think to have a clock that can at once tell the hour of the day, the age of the moon, and the day of the week, month, or year; because the complexness of the machine hinders that perfection which the simplicity of the works and movements can alone give. For it is not in nature to have all things in one. If you are about to chuse a wife, and expect beauty, you must give up family and fortune; or if you attain these, you must at least want good temper, health, or some other advantage: so to expect good language and good sense, at the same time, is absurd, and not in the compass of common nature to produce. Attempting only one thing, therefore, we may entertain the idea of hitting the point of perfection. It has been owing to an inattention to this principle, that so many fail in their attempts at good writing. A Jack of all Trades, is proverbial of a bungler; and we scarcely ever find any one who excels in two parts of the same art; much less in two arts at the same time. The smooth poet wants strength; and the orator of a good voice, is destitute of logical reason and argument. How many have I heard speak, who, were they to attempt voice only, might be respectable; but undertaking at the same time, to carry sense along with them, they utterly fail, and become contemptible. One thing at once is the best maxim that ever came into the mind of man. This might be illustrated by a thousand examples; but I

shall not trouble myself with any ; as it is not so much my object to convince others as to shew the motives by which I myself am governed. Indeed I could give authority which is superior to all examples; *viz.* that of the poet Horace ; who, speaking on this very subject of excellence in writing, says, *Quidvis*, that is, whatever you compose, let it be *simplex duntaxit & unum :* that is, simple, and one thing only.

It will be needless for me to say any thing about the critics ; for as this work is intended as a model or rule of good writing, it cannot be the subject of criticism. It is true, Homer has been criticised by a Zoilus and an Aristotle; but the one contented himself with pointing out defects ; the other, beauties. But Zoilus has been censured, Aristotle praised ; because in a model there can be no defect; error consisting in a deviation from the truth, and faults, in an aberration from the original of beauty ; so that where there are no faults there can be no food for criticism, taken in the unfavourable sense of finding fault with the productions of an author. I have no objections, therefore, to any praise that may be given to this work ; but to censure or blame must appear absurd ; because it cannot be doubted but that it will perfectly answer the end proposed.

Being a book without thought, or the smallest degree of sense, it will be useful to young minds, not fatiguing their understandings, and easily introducing a love of reading and study. Acquiring language at first by this means, they will afterwards gain knowledge. It will be useful, especially to young men of light minds, intended for the bar or pulpit. By heaping too much upon them, stile and matter at once, you surfeit the stomach, and turn away the appetite from literary entertainment, to

horse-racing and cock-fighting. I shall consider myself, therefore, as having performed an acceptable service to all weak and visionary people, if I can give them something to read without the trouble of thinking. But these are collateral advantages of my work, the great object of which is, as I have said before, to give a model of perfect stile in writing. If hereafter any author of super-eminent abilities, should chuse to give this stile a body, and make it the covering to some work of sense, as you would wrap fine silk round a beautiful form, so that there may be, not only vestment, but life in the object, I have no objections; but shall be rather satisfied with having it put to so good a use.

MODERN CHIVALRY.

CHAPTER I.

THE Captain was a man of about forty-five years of age, of good natural sense, and considerable reading; but in some things whimsical, owing perhaps to his greater knowledge of books than of the world; but, in some degree, also, to his having never married, being what they call an old batchelor, a characteristic of which is, usually, singularity and whim. He had the advantage of having had in early life, an academic education; but having never applied himself to any of the learned professions, he had lived the greater part of his life on a small farm, which he cultivated with servants or hired hands, as he could conveniently supply himself with either. The servant that he had at this time, was an Irishman, whose name was Teague Oregan. I shall say nothing of the character of this man, because the very name imports what he was.

A strange idea came into the head of the Captain about this time; for, by the bye, I had forgot to mention that having been chosen captain of a company of militia in the neighbourhood, he had gone by the name of Captain ever since; for the rule is, once a captain, and always a captain; but, as I was observing, the idea had come into his head, to saddle an

old horse that he had, and ride about the world a little, with his man Teague at his heels, to see how things were going on here and there, and to observe human nature. For it is a mistake to suppose, that a man cannot learn man by reading him in a corner, as well as on the widest space of transaction. At any rate, it may yield amusement.

It was about a score of miles from his own house, that he fell in with what we call Races. The jockeys seeing him advance, with Teague by his side, whom they took for his groom, conceived him to be some person who had brought his horse to enter for the purse. Coming up and accosting him, said they, You seem to be for the races, Sir; and have a horse to enter. Not at all, said the Captain; this is but a common palfrey, and by no means remarkable for speed or bottom; he is a common plough horse which I have used on my farm for several years, and can scarce go beyond a trot; much less match himself with your blooded horses that are going to take the field on this occasion.

The jockeys were of opinion, from the speech, that the horse was what they call a *bite*, and that under the appearance of leanness and stiffness, there was concealed some hidden quality of swiftness uncommon. For they had heard of instances, where the most knowing had been taken in by mean looking horses; so that having laid two, or more, to one, they were nevertheless bit by the bet; and the mean looking nags, proved to be horses of a more than common speed and bottom. So that there is no trusting appearances. Such was the reasoning of the jockeys. For they could have no idea, that a man could come there in so singular a manner, with a groom at his foot, unless he had some great object of making money by the adventure. Under this

idea, they began to interrogate him with respect to the blood and pedigree of his horse: whether he was of the Dove, or the Bay mare that took the purse; and was imported by such a one at such a time? whether his sire was Tamerlane or Bajazet?

The Captain was irritated at the questions, and could not avoid answering.....Gentlemen, said he, it is a strange thing that you should suppose that it is of any consequence what may be the pedigree of a horse. For even in men it is of no avail. Do we not find that sages have had blockheads for their sons; and that blockheads have had sages? It is remarkable, that as estates have seldom lasted three generations, so understanding and ability have seldom been transmitted to the second. There never was a greater man, take him as an orator and philosopher, than Cicero: and never was there a person who had greater opportunities than his son Marcus; and yet he proved of no account or reputation..... This is an old instance, but there are a thousand others. Chesterfield and his son are mentioned. It is true, Philip and Alexander may be said to be exceptions: Philip of the strongest possible mind; capable of almost every thing we can conceive; the deepest policy and the most determined valour; his son Alexander not deficient in the first, and before him in the last; if it is possible to be before a man than whom you can suppose nothing greater. It is possible, in modern times, that Tippo Saib may be equal to his father Hyder Ali. Some talk of the two Pitts. I have no idea that the son is, in any respect, equal to old Sir William. The one is a laboured artificial minister: the other spoke with the thunder, and acted with lightning of the gods. I will venture to say, that when the present John Adams, and Lee, and Jefferson, and Jay, and Henry, and other great men, who appear

upon the stage at this time, have gone to sleep with their fathers, it is an hundred to one if there is any of their descendants who can fill their places. Was I to lay a bet for a great man, I would sooner pick up the brat of a tinker, than go into the great houses to chuse a piece of stuff for a man of genius. Even with respect to personal appearance, which is more in the power of natural production we do not see that beauty always produces beauty; but on the contrary, the homliest persons have oftentimes the best favoured offspring; so that there is no rule or reason in these things. With respect to this horse, therefore, it can be of no moment whether he is blooded or studed, or what he is. He is a good old horse, used to the plough, and carries my weight very well; and I have never yet made enquiry with respect to his ancestor, or affronted him so much as to cast up to him the defect of parentage. I bought him some years ago from Neil Thomas, who had him from a colt. As far as I can understand, he was of a brown mare that John M'Neis had; but of what horse I know no more than the horse himself. His gaits are good enough, as to riding a short journey of seven or eight miles; but he is rather a pacer than a trotter; and though his bottom may be good enough in carrying a bag to the mill, or going in the plough, or the sled, or the harrow, &c. yet his wind is not so good, nor his speed, as to be fit for the heats.

The jockeys thought the man a fool, and gave themselves no more trouble about him.

The horses were now entered, and about to start for the purse. There was Black and All-Black, and Snip, John Duncan's Barbary Slim, and several others. The riders had been weighed, and when mounted, the word was given. It is needless to describe a race; every body knows the circumstances

of it. It is sufficient to say, that from the bets that were laid, there was much anxiety, and some passion in the minds of those concerned: So, that as two of the horses, Black and All-Black, and Slim, came out near together; there was dispute and confusion. It came to kicking and cuffing in some places. The Captain was a good deal hurt with such indecency amongst gentlemen, and advancing, addressed them in the following manner: Gentlemen, this is an unequal and unfair proceeding. It is unbecoming modern manners, or even the ancient. For at the Olympic games of Greece, where were celebrated horse and chariot races there was no such hurry scurry as this; and in times of chivalry itself, where men ate, drank, and slept on horseback, though there was a great deal of pell-melling, yet no such disorderly work as this. If men had a difference, they couched their lances, and ran full tilt at one another; but no such indecent expressions, as villain, scoundrel, liar, ever came out of their mouths. There was the most perfect courtesy in those days of heroism and honour; and this your horse-racing, which is a germ of the amusement of those times, ought to be conducted on the same principles of decorum, and good breeding.

As he was speaking, he was jostled by some one in the croud, and thrown from his horse; and had it not been for Teague, who was at hand, and helped him on again, he would have suffered damage. As it was, he received a contusion in his head, of which he complained much; and having left the race-ground, and coming to a small cottage, he stopped a little, to alight and dress the wound. An old woman who was there, thought they ought to take a little of his water, and see how it was with him; but the Captain having no faith in telling disorders by the

urine, thought proper to send for a surgeon who was hard by, to examine the bruise, and apply bandages. The surgeon attended, and examining the part, pronounced it a contusion of the cerebrum. But as there appeared but little laceration, and no fracture, simple or compound, the pia mater could not be injured; nor even could there be more than a slight impression on the dura mater. So that trepaning did not at all appear necessary. A most fortunate circumstance; for a wound in the head, is of all places the most dangerous; because there can be no amputation to save life. There being but one head to a man, and that being the residence of the five senses, it is impossible to live without it..... Nevertheless, as the present case was highly dangerous, as it might lead to a subsultus tendinum, or lock-jaw, it was necessary to apply cataplasms, in order to reduce inflammation, and bring about a sanative disposition of the parts. Perhaps it might not be amiss, to take an anodyne as a refrigerant.... Many patients had been lost by the ignorance of empirics prescribing bracers; whereas, in the first stage of a contusion relaxing and antifebrile medicines are proper. A little phlebotomy was no doubt necessary, to prevent the bursting of the blood vessels.

The Captain hearing so many hard words and bad accounts of this case was much alarmed. Nevertheless he did not think it could be absolutely so dangerous. For it seemed to him that he was not sick at heart or under any mortal pain. The surgeon observed, that in this case he could not himself be a judge. For the very part was affected by which he was to judge, viz. the head; that it was no uncommon thing for men in the extremest cases to imagine themselves out of danger; whereas in re-

ality, they were in the greatest possible; that notwithstanding the symptoms were mild, yet from the contusion, a mortification might ensue. Hypocrates, who might be stiled an elementary physician, and has a treatise on this very subject, is of opinion, that the most dangerous symptom is a topical insensibility; but among the moderns, Sydenham considers it in another point of view, and thinks that where there is no pain, there is as great reason to suppose that there is no hurt, as that there is a mortal one. Be this as it may, antiseptic medicines might be very proper.

The Captain hearing so much jargon, and conscious to himself that he was by no means in so bad a state as this son of Esculapius would represent, broke out into some passion. It is, said he, the craft of your profession to make the case worse than it is, in order to increase the perquisites. But if there is any faith in you, make the same demand, and let me know your real judgment. The surgeon was irritated with his distrust, and took it into his head to fix some apprehension in the mind of his patient, if possible, that his case was not without danger. Looking stedfastly at him for some time, and feeling his pulse, there is, said he, an evident delirium approaching. This argues an affection of the brain, but it will be necessary, after some soporiferous draughts, to put the patient to sleep. Said the Captain, If you will give me about a pint of whiskey and water, I will try to go to sleep myself. A deleterious mixture, in this case said the surgeon, cannot be proper; especially a distillation of that quality. The Captain would hear no more; but requesting the man of the cabin, to let him have the spirits proposed, drank a pint or two of grog, and having bound up his head with a handkerchief, went to bed.

CHAPTER II.

CONTAINING SOME GENERAL REFLECTIONS.

THE first reflection that arises, is, the good sense of the Captain; who was unwilling to impose his horse for a racer; not being qualified for the course. Because, as an old lean beast, attempting a trot, he was respectable enough; but going out of his nature, and affecting speed, he would have been contemptible. The great secret of preserving respect, is the cultivating and shewing to the best advantage the powers that we possess, and the not going beyond them. Every thing in its element is good, and in their proper sphere all natures and capacities are excellent. This thought might be turned into a thousand different shapes, and cloathed with various expressions; but after all, it comes to the old proverb at last, *Ne sutor ultra crepidam*, Let the cobler stick to his last; a sentiment we are about more to illustrate in the sequel to this work.

The second reflection that arises, is, the simplicity of the Captain, who was so unacquainted with the world, as to imagine that jockeys and men of the turf could be managed by reason and good sense; whereas there are no people who are by education

of a less philosophic turn of mind. The company of horses is by no means favourable to good taste and genius. The rubbing and currying them, but little enlarges the faculties, or improves the mind; and even riding, by which a man is carried swiftly through the air, though it contributes to health, yet stores the mind with few or no ideas; and as men naturally consimilate with their company, so it is observable that your jockeys are a class of people not far removed from the sagacity of a good horse. Hence most probably the fable of the centaur, among the ancients; by which they held out the moral of the jockey and the horse being one beast.

A third reflection is, that which he exprest, viz. the professional art of the surgeon to make the most of the case, and the technical terms used by him, I have to declare, that it is with no attempt at wit, that the terms are set down, or the art of the surgeon hinted at; because it is so common a place thing to ridicule the peculiarities of a profession, or its phraseologies, that it favours of mean parts to indulge it. For a man of real genius will never walk in the beaten path, because his object is what is new and uncommon. This surgoen does not appear to have been a man of very great ability; but the Captain was certainly wrong in declining his prescriptions; for the maxim is, *unicuique, in arte sua, perito, credendum est;* every one is to be trusted in his profession.

CHAPTER III.

THE Captain rising early next morning, and setting out on his way, had now arrived at a place where a number of people were convened, for the purpose of electing persons to represent them in the legislature of the state. There was a weaver who was a candidate for this appointment, and seemed to have a good deal of interest among the people. But another, who was a man of education, was his competitor. Relying on some talent of speaking which he thought he possessed, he addressed the multitude.

Fellow-citizens, said he, I pretend not to any great abilities; but am conscious to myself that I have the best good will to serve you. But it is very astonishing to me, that this weaver should conceive himself qualified for the trust For though my acquirements are not great, yet his are still less. The mechanical business which he pursues, must necessarily take up so much of his time, that he cannot apply himself to political studies. I should therefore think it would be more answerable to your dignity, and conducive to your interest, to be represented by a man at least of some letters, than by an illiterate handicraftsman like this. It will be more honourable for himself, to remain at his loom and

knot threads, than to come forward in a legislative capacity: because, in the one case, he is in the sphere suited to his education; in the other, he is like a fish out of water, and must struggle for breath in a new element.

Is it possible he can understand the affairs of government, whose mind has been concentered to the small object of weaving webs; to the price by the yard, the grist of the thread, and such like matters as concern the manufacturer of cloths? The feet of him who weaves, are more occupied than the head, or at least as much; and the whole must be, at least, but in half, accustomed to exercise his mental powers. For these reasons, all other things set aside, the chance is in my favour, with respect to information. However, you will decide, and give your suffrages to him or to me, as you shall judge expedient.

The Captain hearing these observations, and looking at the weaver, could not help advancing, and undertaking to subjoin something in support of what had been just said. Said he, I have no prejudice against a weaver more than another man. Nor do I know any harm in the trade; save that from the sedentary life in a damp place, there is usually a paleness of the countenance: but this is a physical not a moral evil. Such usually occupy subterranean apartments; not for the purpose, like Demosthenes, of shaving their heads, and writing over eight times the history of Thucydides, and perfecting a stile of oratory; but rather to keep the thread moist; or because this is considered but as an inglorious sort of trade, and is frequently thrust away into cellars, and damp out-houses, which are not occupied for a better use.

But to rise from the cellar to the senate house, would be an unnatural hoist. To come from counting threads, and adjusting them to the splits of a reed, to regulate the finances of a government, would be preposterous; there being no congruity in the case. There is no analogy between knotting threads and framing laws. It would be a reversion of the order of things. Not that a manufacturer of linen or woolen, or other stuff, is an inferior character, but a different one, from that which ought to be employed in affairs of state. It is unnecessary to enlarge on this subject; for you must all be convinced of the truth and propriety of what I say. But if you will give me leave to take the manufacturer aside a little, I think I can explain to him my ideas on the subject; and very probably prevail with him to withdraw his pretensions. The people seeming to acquiesce, and beckoning to the weaver, they withdrew aside, and the Captain addressed him in the following words:

Mr. Traddle, said he, for that was the name of the manufacturer, I have not the smallest idea of wounding your sensibility; but it would seem to me, it would be more your interest to pursue your occupation, than to launch out into that of which you have no knowledge. When you go to the senate house, the application to you will not be to warp a web; but to make laws for the commonwealth. Now, suppose that the making these laws, requires a knowledge of commerce, or of the interests of agriculture, or those principles upon which the different manufactures depend, what service could you render. It is possible you might think justly enough; but could you speak? You are not in the habit of public speaking. You are not furnished with those common place ideas, with which even

very ignorant men can pass for knowing something. There is nothing makes a man so ridiculous as to attempt what is above his sphere. You are no tumbler for instance; yet should you give out that you could vault upon a man's back; or turn head over heels like the wheels of a cart; the stiffness of your joints would encumber you; and you would fall upon your backside to the ground. Such a squash as that would do you damage. The getting up to ride on the state is an unsafe thing to those who are not accustomed to such horsemanship. It is a disagreeable thing for a man to be laughed at, and there is no way of keeping ones self from it but by avoiding all affectation.

While they were thus discoursing, a bustle had taken place among the croud. Teague hearing so much about elections, and serving the government, took it into his head, that he could be a legislator himself. The thing was not displeasing to the people, who seemed to favour his pretensions; owing, in some degree, to there being several of his countrymen among the croud; but more especially to the fluctuation of the popular mind, and a disposition to what is new and ignoble. For though the weaver was not the most elevated object of choice, yet he was still preferable to this tatter-demalion, who was but a menial servant, and had so much of what is called the brogue on his tongue, as to fall far short of an elegant speaker.

The Captain coming up, and finding what was on the carpet, was greatly chagrined at not having been able to give the multitude a better idea of the importance of a legislative trust; alarmed also, from an apprehension of the loss of his servant. Under these impressions he resumed his address to the multitude. Said he, this is making the matter still

worse, gentlemen: this servant of mine is but a bog-trotter, who can scarcely speak the dialect in which your laws ought to be written; but certainly has never read a single treatise on any political subject; for the truth is, he cannot read at all. The young people of the lower class, in Ireland, have seldom the advantage of a good education; especially the descendants of the ancient Irish, who have most of them a great assurance of countenance, but little information, or literature. This young man, whose family name is Oregan, has been my servant for several years; and, except a too great fondness for women, which now and then brings him into scrapes, he has demeaned himself in a manner tolerable enough. But he is totally ignorant of the great principles of legislation; and more especially, the particular interests of the government. A free government is a noble acquisition to a people: and this freedom consists in an equal right to make laws, and to have the benefit of the laws when made. Though doubtless, in such a government, the lowest citizen may become chief magistrate; yet it is sufficient to possess the right; not absolutely necessary to exercise it. Or even if you should think proper, now and then, to shew your privilege, and exert, in a signal manner, the democratic prerogative, yet is it not descending too low to filch away from me a hireling, which I cannot well spare. You are surely carrying the matter too far, in thinking to make a senator of this ostler; to take him away from an employment to which he has been bred, and put him to another, to which he has served no apprenticeship: to set those hands which have been lately employed in currying my horse, to the draughting bills, and preparing business for the house.

The people were tenacious of their choice, and insisted on giving Teague their suffrages; and by the frown upon their brows, seemed to indicate resentment at what had been said; as indirectly charging them with want of judgment; or calling in question their privilege to do what they thought proper. It is a very strange thing, said one of them, who was a speaker for the rest, that after having conquered Burgoyne and Cornwallis, and got a government of our own, we cannot put in it whom we please. This young man may be your servant, or another man's servant; but if we chuse to make him a delegate, what is that to you. He may not be yet skilled in the matter, but there is a good day a-coming. We will empower him; and it is better to trust a plain man like him, than one of your high flyers, that will make laws to suit their own purposes.

I had much rather, said the Captain, you would send the weaver, though I thought that improper, than to invade my household, and thus detract from me the very person that I have about me to brush my boots, and clean my spurs. The prolocutor of the people gave him to understand that his objections were useless, for the people had determined on the choice, and Teague they would have, for a representative.

Finding it answered no end to expostulate with the multitude, he requested to speak a word with Teague by himself. Stepping aside, he said to him, composing his voice, and addressing him in a soft manner: Teague, you are quite wrong in this matter they have put into your head. Do you know what it is to be a member of a deliberative body? What qualifications are necessary? Do you understand any thing of geography? If a question should

be put to make a law to dig a canal in some part of the state, can you describe the bearing of the mountains, and the course of the rivers? Or if commerce is to be pushed to some new quarter, by the force of regulations, are you competent to decide in such a case? There will be questions of law, and astronomy on the carpet. How you must gape and stare like a fool, when you come to be asked your opinion on these subjects? Are you acquainted with the abstract principles of finance; with the funding public securities; the ways and means of raising the revenue; providing for the discharge of the public debts, and all other things which respect the economy of the government? Even if you had knowledge, have you a facility of speaking. I would suppose you would have too much pride to go to the house just to say, ay, or no. This is not the fault of your nature, but of your education; having been accustomed to dig turf in your early years, rather than instructing yourself in the classics, or common school books.

When a man becomes a member of a public body, he is like a racoon, or other beast that climbs up the fork of a tree; the boys pushing at him with pitchforks, or throwing stones, or shooting at him with an arrow, the dogs barking in the mean time. One will find fault with your not speaking; another with your speaking, if you speak at all. They will put you in the newspapers, and ridicule you as a perfect beast. There is what they call the caricatura; that is, representing you with a dog's head, or a cat's claw. As you have a red head, they will very probably make a fox of you, or a sorrel horse, or a brindled cow. It is the devil in hell to be exposed to the squibs and crackers of the gazette wits and publications. You know no more about these matters

than a goose; and yet you would undertake rashly, without advice, to enter on the office; nay, contrary to advice. For I would not for a thousand guineas, though I have not the half it to spare, that the breed of the Oregans should come to this; bringing on them a worse stain than stealing sheep; to which they are addicted. You have nothing but your character, Teague, in a new country to depend upon. Let it never be said, that you quitted an honest livelihood, the taking care of my horse, to follow the new fangled whims of the times, and be a statesman.

Teague was moved chiefly with the last part of the address, and consented to relinquish his pretensions.

The Captain, glad of this, took him back to the people, and announced his disposition to decline the honour which they had intended him.

Teague acknowledged that he had changed his mind, and was willing to remain in a private station.

The people did not seem well pleased with the Captain; but as nothing more could be said about the matter, they turned their attention to the weaver, and gave him their suffrages.

CHAPTER IV.

THE Captain leaving this place, proceeded on his way; and at the distance of a mile or two, met a man with a bridle in his hand; who had lost a horse, and had been at a conjurer's to make enquiry, and recover his property.

It struck the mind of the Captain to go to this conjuring person, and make a demand of him, why it was that the multitude were so disposed to elevate the low to the highest station. He had rode but about a mile, when the habitation of the conjurer, by the direction and description of the man who had lost the horse had given, began to be in view..... Coming up to the door, and enquiring if that was not where conjurer Kolt lived, they were answered yes. Accordingly alighting, and entering the domicile, all those things took place which usually happen, or are described in cases of this nature, viz. there was the conjurer's assistant, who gave the Captain to understand that master had withdrawn a little, but would be in shortly.

In the mean time, the assistant endeavoured to draw from him some account of the occasion of his journey; which the other readily communicated; and the conjurer, who was listening through a crack

in the partition, overheard. Finding it was not a horse or a cow, or a piece of linen that was lost, but an abstract question of political philosophy which was to be put, he came from his lurking place, and entered, as if not knowing that any person had been waiting for him.

After mutual salutations, the Captain gave him to understand the object which he had in view by calling on him.

Said the conjurer, this lies not at all in my way. If it had been a dozen of spoons, or a stolen watch, that you had to look for, I could very readily, by the assistance of my art, have assisted you in the recovery; but as to this matter of men's imaginations and attachments in political affairs, I have no more understanding than another man.

It is very strange, said the Captain, that you who can tell by what means a thing is stolen, and the place where it is deposited, though at a thousand miles distance, should know so little of what is going on in the breast of man, as not to be able to develope his secret thoughts, and the motives of his actions.

It is not of our business, said the other; but should we undertake it, I do not see that it would be very difficult to explain all that puzzles you at present. There is no need of a conjurer to tell why it is that the common people are more disposed to trust one of their own class, than those who may affect to be superior. Besides, there is a certain pride in man, which leads him to elevate the low, and pull down the high. There is a kind of creating power exerted in making a senator of an unqualified person; which when the author has done, he exults over the work, and, like the Creator himself when he made the world, sees that "it is very good." Moreover, there

is in every government a patrician class, against whom the spirit of the multitude naturally militates: and hence a perpetual war: the aristocrats endeavouring to detrude the people, and the people contending to obtrude themselves. And it is right it should be so; for by this fermentation, the spirit of democracy is kept alive.

The Captain, thanking him for his information, asked him what was to pay; at the same time pulling out half a crown from a green silk purse which he had in his breeches pocket. The conjurer gave him to understand, that as the solution of these difficulties was not within his province, he took nothing for it. The Captain expressing his sense of his disinterested service, bade him adieu.

CHAPTER. V.

CONTAINING REFLECTIONS.

A DEMOCRACY is beyond all question the freest government: because under this, every man is equally protected by the laws, and has equally a voice in making them. But I do not say an equal voice; because some men have stronger lungs than others, and can express more forcibly their opinions of public affairs. Others, though they may not speak very loud, yet have a faculty of saying more in a short time; and even in the case of others, who speak little or none at all, yet what they do say containing good sense, comes with greater weight; so that all things considered, every citizen has not, in this sense of the word, an equal voice. But the right being equal, what great harm if it is unequally exercised? is it necessary that every man should become a statesman? No more than that every man should become a poet or a painter. The sciences are open to all; but let him only who has taste and genius pursue them. "If any man covets the office of a bishop," says St. Paul, "he covets a good work." But again, he adds this caution, "Ordain not a novice, lest being lifted up with pride, he falls

into the condemnation of the devil." It is indeed making a devil of a man to lift him up to a state to which he is not suited. A ditcher is a respectable character, with his over-alls on, and a spade in his hand; but put the same man to those offices which require the head, whereas he has been accustomed to impress with his foot, and there appears a contrast between the individual and the occupation.

There are individuals in society, who prefer honour to wealth; or cultivate political studies as a branch of literary pursuits; and offer themselves to serve public bodies in order to have an opportunity of discovering their knowledge, and exercising their judgment. It must be matter of chagrin to these, and hurtful to the public, to see those who have no talent this way, and ought to have no taste, preposterously obtrude themselves upon the government. It is the same as if a brick-layer should usurp the office of a taylor, and come with his square and perpendicular, to take the measure of a pair of breeches.

It is proper that those who cultivate oratory, should go to the house of orators. But for an Ay and No man to be ambitious of that place, is to sacrifice his credit to his vanity.

I would not mean to insinuate that legislators are to be selected from the more wealthy of the citizens, yet a man's circumstances ought to be such as afford him leisure for study and reflection. There is often wealth without taste or talent. I have no idea, that because a man lives in a great house, and has a cluster of bricks or stones about his backside, that he is therefore fit for a legislator. There is so much pride and arrogance with those who consider themselves the first in a government, that it deserves to be checked by the populace, and the evil most usually commences on this side. Men associate

with their own persons, the adventitious circumstances of birth and fortune: So that a fellow blowing with fat and repletion, conceives himself superior to the poor lean man, that lodges in an inferior mansion. But as in all cases, so in this, there is a medium. Genius and virtue are independent of rank and fortune; and it is neither the opulent, nor the indigent, but the man of ability and integrity that ought to be called forth to serve his country: and while, on the one hand, the aristocratic part of the government, arrogates a right to represent; on the other hand, the democratic contends the point; and from this conjunction and opposition of forces, there is produced a compound resolution, which carries the object in an intermediate direction. When we see therefore, a Teague Oregan lifted up, the philosopher will reflect, that it is to balance some purse-proud fellow, equally as ignorant, that comes down from the sphere of aristocratic interest.

But every man ought to consider for himself, whether it is his use to be this drawback, on either side. For as when good liquor is to be distilled, you throw in some material useless in itself to correct the effervescence of the spirit; so it may be his part to act as a sedative. For though we commend the effect, yet still the material retains but its original value.

But as the nature of things is such, let no man who means well to the commonwealth, and offers to serve it, be hurt in his mind when some one of meaner talents is preferred. The people are a sovereign, and greatly despotic; but, in the main, just.

It might be advisable, in order to elevate the composition, to make quotations from the Greek and Roman history. And I am conscious to myself, that I have read the writers on the government of

Italy and Greece, in ancient, as well as modern times. But I have drawn a great deal more from reflection on the nature of things, than from all the writings I have ever read. Nay, the history of the election, which I have just given, will afford a better lesson to the American mind, than all that is to be found in other examples. We seen here, a weaver a favoured candidate, and in the next instance, a bog-trotter superseding him. Now it may be said, that this is fiction; but fiction or no fiction, the nature of the thing will make it a reality. But I return to the adventures of the Captain, whom I have upon my hands; and who, as far as I can yet discover, is a good honest man; and means what is benevolent and useful; though his ideas may not comport with the ordinary manner of thinking, in every particular.

CHAPTER VI.

THERE was, in a certain great city, a society who called themselves Philosophers. They had published books, under the title of Transactions. These contained dissertations on the nature and causes of things, from the stars of heaven to the fireflies of the earth; and from the sea-crab to the woodland buffaloe. Such disquisitions, are doubtless useful and entertaining to an inquisitive mind.

There is no question, but there were in this body some very great men; whose investigations of the arcana of nature, deserve attention. But so it was, there had been introduced, by some means, many individuals, who were no philosophers at all. This is no unusual thing with institutions of this nature; though, by the bye, it is a very great fault. For it lessens the incentives of honour, to have the access made so easy, that every one may obtain admission. It has been a reproach to some colleges, that a diploma could be purchased for half a crown. This society were still more moderate; for the bare scratching the backside of a member has been known to procure a membership. At least, there have been those admitted who appeared capable of nothing else.

Nevertheless, it was necessary, even in these cases, for the candidates to procure some token of a philosophic turn of mind; such as the skin of a dead cat, or some odd kind of a mouse-trap; or have phrases in their mouths, about minerals and petrifactions; so as just to support some idea of natural knowledge, and pass muster. There was one who got in by finding, accidentally, the tail of a rabbit, which had been taken off in a boy's trap. Another by means of a squirrel's scalp, which he had taken care to stretch and dry on a bit of osier, bended in the form of a hoop. The beard of an old fox, taken off and dried in the sun, was the means of introducing one whom I knew very well: Or rather, as I have already hinted, it was beforehand intended he should be introduced; and these exuviæ, or spoils of the animal kingdom, were but the tokens and apologies for admission.

It happened, as the Captain was riding this day, and Teague trotting after him, he saw a large owl, that had been shot by some body, and was placed in the crotch of a tree, about the height of a man's head from the ground, for those that passed by to look at. The Captain being struck with it, as somewhat larger than such birds usually are, desired Teague to reach it to him; and tying it to the hinder part of his saddle, rode along.

Passing by the house of one who belonged to the society, the bird was noticed at the saddle-skirts, and the philosopher coming out, made enquiry with regard to the genus and nature of the fowl. Said the Captain, I know nothing more about it, than that it is nearly as large as a turkey buzzard. It is doubtless, said the other, the great Canada owl, that comes from the Lakes; and if your honour will give me leave, I will take it and submit it to the society, and

have yourself made a member. As to the first, the Captain consented; but as to the last, the being a member, he chose rather to decline it; conceiving himself unqualified for a place in such a body. The other assured him that he was under a very great mistake; for there were persons there who scarcely knew a B from a bull's foot. That may be, said the Captain; but if others chuse to degrade themselves, by suffering their names to be used in so preposterous a way as that, it was no reason he should.

The other gave him to understand, that the society would certainly wish to express their sense of his merit, and shew themselves not inattentive to a virtuoso; that as he declined the honour himself, he probably might not be averse to let his servant take a seat among them.

He is but a simple Irishman, said the Captain, and of a low education; his language being that spoken by the aborigines of his country. And if he speaks a little English, it is with the brogue on his tongue; which would be unbecoming in a member of your body. It would seem to me that a philosopher ought to know how to write, or at least to read. But Teague can neither write nor read. He can sing a song or whistle an Irish tune; but is totally illiterate in all things else. I question much if he could tell you how many new moons there are in the year; or any the most common thing that you could ask him. He is a long-legged fellow, it is true; and might be of service in clambering over rocks, or going to the shores of rivers, to gather curiosities. But could you not get persons to do this, without making them members? I have more respect for science, than to suffer this bog-trotter to be so advanced at its expence.

In these American states, there is a wide field for philosophic search; and these researches may be of great use in agriculture, mechanics, and astronomy. There is but little immediate profit attending these pursuits; but if there can be inducements of honour, these may supply the place. What more allûring to a young man, than the prospect of being, one day, received into a society of men truly learned; the admission being a test and a proof of distinguished knowledge. But the fountain of honour, thus contaminated by a sediment foreign from its nature, who would wish to drink of it?

Said the philosopher, at the first institution of the society by Dr. Franklin and others, it was put upon a narrow basis, and only men of science were considered proper to compose it; and this might be a necessary policy at that time, when the institution was in its infancy, and could not bear much drawback of ignorance. But it has not been judged so necessary of late years. The matter stands now on a broad and catholic bottom; and, like the gospel itself, it is our orders, "to go out into the high-ways and hedges, and compel them to come in." There are hundreds, whose names you may see on our list, who are not more instructed than this lad of yours.

They must be a sad set indeed then, said the Captain. Sad or no sad, said the other, it is the case; and if you will let Teague go, I will engage him a membership.

I take it very ill of you, Mr. Philosopher, said the Captain, to put this nonsense in his head. If you knew what trouble I have lately had with a parcel of people that were for sending him to Congress, you would be unwilling to draw him from me for the purpose of making him a philosopher. It is not an easy matter to get hirelings now-a-days; and

when you do get one, it is a mere chance, whether he is faithful, and will suit your purpose. It would be a very great loss to me, to have him taken off at this time, when I have equipped myself for a journey.

Teague was a good deal incensed at this refusal of his master, and insisted that he would be a philosopher. You are an ignoramus, said the Captain. It is not the being among philosophers will make you one.

Teague insisted that he had a right to make the best of his fortune: and as there was a door open to his advancement, he did not see why he might not make use of it.

The Captain finding that it answered no end to dispute the matter with him, by words of sense and reason, took a contrary way to manage him.

Teague, said he, I have a regard for you, and would wish to see you do well. But before you take this step, I would wish to speak a word or two in private. If you will go, I may perhaps suggest some things that may be of service to you, for your future conduct in that body.

Teague consenting, they stepped aside; and the Captain addressed him in the following manner:

Teague, said he, do you know what you are about? It is a fine thing at first sight, to be a philosopher, and get into this body. And indeed, if you were a real philosopher, it might be some honour, and also safe, to take that leap. But do you think it is to make a philosopher of you that they want you? Far from it. It is their great study to find curiosities; and because this man saw you coming after me, with a red head, trotting like an Esquimaux Indian, it has struck his mind to pick you up, and pass you for one. Nay, it is possible, they may intend

worse; and when they have examined you awhile, take the skin off you, and pass you for an overgrown otter, or a musk-rat; or some outlandish animal, for which they will themselves, invent a name. If you were at the museum of one of these societies, to observe the quantity of skins and skeletons they have, you might be well assured they did not come by them honestly. I know so much of these people, that I am well persuaded they would think no more of throwing you into a kettle of boiling water, than they would a tarapin; and having scraped you out to a shell, present you as the relics of an animal they had procured, at an immense price, from some Guinea merchant. Or if they should not at once turn you to this use, how, in the mean time, will they dispose of you? They will have you away through the bogs and marshes, catching flies and mire-snipes; or send you to the woods to bring a pole-cat; or oblige you to descend into draw-wells for fog, and phlogistic air, and the Lord knows what. You must go into wolves dens, and catch bears by the tail; run over mountains like an oppossum, and dig the earth like a ground-hog. You will have to climb upon trees, and be bit by flying squirrels. There will be no end to the musketoes you will have to dissect. What is all this to diving into mill-dams and rivers, to catch craw-fish. Or if you go to the ocean, there are alligators to devour you like a cat-fish Who knows but it may come your turn, in a windy night, to go aloft to the heavens, to rub down the stars, and give the goats and rams that are there, fodder. The keeping the stars clean, is a laborious work; a great deal worse than scouring andirons, or brass kettles. There is a bull there would think no more of tossing you on his horns than he would a puppy dog. If the crab should

get you in his claws he would squeeze you like a lobster. But what is all that to your having no place to stand on? How would you like to be up at the moon, and to fall down when you had missed your hold, like a boy from the topmast of a ship, and have your brains beat out upon the top of some great mountain; where the devil might take your skeleton and give it to the turkey-buzzards?

Or if they should, in the mean time, excuse you from such out of door services, they will rack and torture you with hard questions. You must tell them how long the rays of light are coming from the sun; how many drops of rain fall in a thunder-gust; what makes the grasshopper chirp when the sun is hot; how muscle shells get up to the top of the mountains; how the Indians got over to America. You will have to prove that the negroes were once white; and that their flat noses came by some cause in the compass of human means to produce. These are puzzling questions; and yet you must solve them all. Take my advice, and stay where you are. Many men have ruined themselves by their ambition, and made bad worse. There is another kind of philosophy, which lies more within your sphere; that is moral philosophy. Every hostler or hireling can study this, and you have the most excellent opportunity of acquiring this knowledge in our traverses through the country; or communications at the different taverns or villages, where we may happen to sojourn.

Teague had long ago, in his own mind, given up all thoughts of the society, and would not for the world have any more to do with it; therefore, without bidding the philosopher adieu, they pursued their route as usual.

CHAPTER VII.

CONTAINING OBSERVATIONS.

THE institution of the American Philosophical Society, does great honour to the founders; and what has been published by that body, comes not behind what has appeared from societies of the same nature elsewhere. But of late years, it has ceased to be presumptive evidence, at least what the lawyers call violent presumption, of philosophical attainments, to be a member; owing to the spurious brood of illiterate persons that have been admitted indiscriminately with the informed; this again owing to a political dispute in the government where this society exists. For where there are parties in a commonwealth, they naturally subdivide themselves, and are found even in the retreats of the muses. It has become the question with this society, not, whether a man is a philospher or not, but what part he has taken in some question on the carpet. The body conceived itself to pay a compliment to the person admitted, as if it could be any honour to a man to be announced what he is not. The contrary is the case here. For as honour is the acknowledgment which the world makes of a man's respecta-

bility, there can be no honour here; for it has become a mere matter of moon-shine to be a member. To be, or not to be, that is the question; but so trifling, that it is scarcely ever made. The way to remedy this, would be, to have an overhauling of the house, and derange at least three parts in four. As in the case of Tarquin, and the three remaining books of the Sybiles, you would receive as much for the fourth part of that body, should you set them up at market, as for the whole at present.

I have often reflected with myself, what an honour it must be, to be one of the society of the French academy; forty, of twenty-four millions of people, are selected in consequence of literary characters already established.

I recollect the time when I had high ideas of philosophical membership in America. But it does not appear to me now to be the highest thing that a man could wish, since even a common Teague Oregan trotting on the high-way, has been solicited to take a seat. It may be said, that this is an exaggeration of the facts; and can be considered only as burlesque. I profess it is not intended as such, but as a fair picture of what has taken place. Should it be considered in the light of burlesque, it must be a very lame one; because where there is no excess there can be no caricatura. But omitting all apologies and explanations, let the matter rest where it is.

CHAPTER VIII.

IT was somewhat late when the Captain arrived at an inn this evening. There was there, before him, a young clergyman, who had been preaching that day to a neighbouring congregation; but had not as usual, gone home with an elder; but had come thus far on his way towards another place, where he was to preach the next day.

The Captain entering into conversation with the clergyman, sat up pretty late. The subject was what might be expected; viz. the affairs of religion and the church. The clergyman was a good young man; but with a leaning fanaticism, and being righteous over much: The Captain on the other hand, somewhat sceptical in his notions of religion: Hence, a considerable opposition of sentiment between the two. But at length, drowziness seizing both, candles were called for, and they went to bed.

It was about an hour or two after, when an uproar was heard in a small chamber to the left of the stair case which led to the floor on which they slept. It was Teague, who had got to bed to the girl of the house. For as they would neither let him go to Congress, nor be a philosopher, he must be doing something. The girl not being apprized, or not

chusing his embraces, made a great outcry and lamentation. The clergyman, who slept in an adjoining chamber, and hearing this, out of the zeal of his benevolence and humanity, leaped out of bed in his shirt, and ran in, to see what was the cause of the disturbance. The Captain also jumping up, followed soon after, and was scarcely in the chamber, before the landlord coming up with a candle, found them all together.

The maid gave this account of the matter, viz. That between sleeping and waking she felt a man's hand lifting up the bed clothes; upon which she called out murder. But whether it was any body there present, or some one else, she could not tell.

Teague, whose natural parts were not bad, and presence of mind considerable, instantly adopted the expedient to throw the matter on the clergyman. By shaint Patrick, said he, I was aslape in my own bed, as sound as the shates that were about me, when I heard the sound of this young crature's voice crying out like a shape in a pasture; and when after I had heard, aslape as I was, and come here, I found this praste, who was so holy, and praching all night, upon the top of the bed, with his arms round this young crature's neck; and if I had not given him a twitch by the nose, and bid him ly over, dear honey, he would have ravished her virginity, and murdered her, save her soul, and the paple of the house not the wiser for it.

The clergyman stared with his mouth open; for the palpable nature of the falsehood, had shocked him beyond the power of speech.

But the landlady, who in the mean time had come up, and had heard what Teague had said, was enraged, and could supply speech for them both. Hey, said she, this comes of your preaching and praying,

Mr. Minister. I have lodged many a gentleman; but have never had such doings here before. It is a pretty story that a minister of the gospel should be the first to bring a scandal upon the house.

The Captain interrupted her, and told her there was no harm done. The maid was not actually ravished; and if there was no noise made about it, all matters might be set right.

The clergyman had by this time recovered himself so much as to have the use of his tongue; and began by protesting his innocence, and that it was no more him that made the attack upon the maid, than the angel Gabriel.

The Captain, interrupting him, and wishing to save his feelings, began by excusing or extenuating the offence. It is no great affair, said he, after all that is said or done. The love of woman is a natural sin, and the holiest men in all ages have been propense to this indulgence. There was Abraham that got to bed to his maid Hagar, and had a bastard by her, whom he named Ishmael. Joshua, who took Jericho by the sound of ram's horns, saved a likely slut of the name of Rahab, under a pretence that she had been civil to the spies he had sent out, but in reality because he himself took a fancy for her. I need say nothing about David, who wrote the psalms, and set them to music; and yet in his old days had a girl to sleep with him. Human nature is human nature still; and it is not all the preaching and praying on earth can extinguish it.

The clergyman averred his innocence, and that it was that red-headed gentleman himself, meaning Teague, who was in the room first, and had been guilty of the outrage. Teague was beginning to make the sign of the cross, and to put himself into an attitude of swearing, when the Captain thinking

it of no consequence who was the person, put an end to the matter, by ordering Teague to bed, and himself bidding the company good night.

The clergyman finding no better could be made of it, took the advice of the landlord, and retired also. The landlady seemed disposed to hush the matter up, and the maid went to sleep as usual.

It is not the nature of the female tongue to be silent. The landlady, the next day, could not avoid informing her gossips, and even some of her guests, of what had happened the preceding evening in her house. The report, so unfavourable to the clergyman, had therefore got out; and coming to the ears of the consistory, was the occasion of calling him before them, to answer to the accusation. The clergyman much alarmed, though conscious of innocence, bethought himself of applying to the Captain, to extort from his waiting-man a confession of the truth, and relieve his character. Accordingly, having set out on a bay horse that he had, he found the Captain, and addressed him in the following manner:

Captain, said he, the affair of that night at the tavern, is like to be of serious consequence to me. For though I am as innocent as the child unborn, yet the presumption is against me, and I am likely to fall under church censure. It may be sport to you, but it is a matter of moment to me. Now, as sure as God is in heaven, I am innocent; and it must have been the devil, or that red headed Irishman of yours, that made the disturbance.

The Captain gave him the comfort of assuring him that he might make himself easy; for be the matter as it might, he would take care that Teague should assume it, and bear the blame. The clergyman thanked him, declaring at the same time,

that he would not forget him in his prayers, Sunday or Saturday, while he had an hour to live. The Captain, not so much from any mercenary motive of benefit, by his spiritual solicitations, as from a real love of humanity and justice, had determined to do him essential service in this affair. Accordingly, when the clergyman had retired, calling Teague before him, he began in this manner: Teague, said he, from what I know of your disposition, I have no more doubt than I have of my existence, that it was yourself who made that uproar with the girl at the tavern where we lodged; though I could not but give you credit for your presence of mind in throwing it upon the clergyman. But whether the matter lies with you or him, is of no consequence. You can take it upon you, and lay up treasure in heaven. It will be doing a good work; and these people, you may be assured, have a considerable influence in the other world. This clergyman can speak a good word for you when you come there, and let you into half the benefit of all the prayers he has said on earth. It will be no harm to you, for your character in this respect is as bad as it can well be.

Teague said he did not care much; but thought the priest ought to pay a little smart money; for it was a thankless matter to do these things for nothing. Said the Captain, these people are not the most plenty of money; but I will advance half a crown towards the accommodation. Teague was satisfied, and ready to acknowledge whatever was demanded of him.

Accordingly, having come before the presbytery on the day appointed for the trial, Teague made confession of the truth, viz. That being in the kitchen with the girl, and observing her to be a good looking hussy.....

But suppose we give the speech in his own dialect:...Master prastes, said he, I persave you are all prastes of the gosple, and can prach as asily as I can take a chaw of tobacco. Now de trut of de story is dis; I was slaping in my bed, and I tought vid myself it was a shame amongst christian paple that a young crature should slape by herself, and have no one to take care of her. So I tought vid myself, to go and slape vid her. But as she was aslape, she made exclamation, and dis praste that is here before you, came in to save her shoul from the devil; and as the Captain my master, might take offence, and the devil, I am shartain that it was no better person, put it into my head to lay it on the praste. This is the trut master prastes, as I hope for shalvation in the kingdom of purgatory, shentlemen.

On this confession, the clergyman was absolved, to the great joy of the presbytery, who considered it as a particular providence that the truth was brought to light.

CHAPTER IX.

CONTAINING REFLECTIONS.

IT must appear from the incident at the public house, with what caution presumptive testimony is to be admitted. Our criminal law admits it, but lays it down as a rule, that it be admitted with caution. There is what is called violent presumption; that is, where such circumstances exist, as usually attend the fact. Presumptive proof of this nature is held sufficient to convict. I doubt much, whether reason or experience approve the doctrine. Reason tells us, that there may be all the circumstances that usually attend the fact, and yet without the fact itself. Experience evinces that it has been the case; for we have heard of persons convicted of a capital offence; and yet with their last breath asserting innocence. Nay, in the case of some who have been convicted of homicide, the persons who have been supposed to have been murdered, have afterwards been found alive.

But on abstract principles, a conclusion of certainty cannot be drawn from presumptive proof. Because in cases of the most violent presumption, there is still a possibility of innocence; and where there is a

possibility, there must be a doubt; and will you hang man, woman, or child, where there is a doubt.

In all cases there ought to be complete proof; because the convicted person is to be completely punished; and the jury, previous to this, must make complete oath of the guilt.

It is the ground of the doctrine of presumptive proof, that where you cannot help suspecting, you ought to be positive; whereas the just conclusion would be, that where you cannot help suspecting, there you ought to suspect still, but no more.

It would be a curious question in arithmetic how many uncertainties make a certainty? In mathematics, the three angles of a triangle, are equal to two right angles. But these are all angles, that are put together; that is, they are things of the same kind, but the greatest angle, and the longest side will never make a triangle, because there is no inclusion of space. There must be a number of things of the same kind to make an aggregate whole; so that ten thousand possibilities, probabilities, and violent presumptions, can never constitute a certainty.

Presumptive proof, like the *semi plena probatio* of the Roman law, going but half-way towards proof, can never amount to proof at all. For, as the saying is, a miss is as good as a mile. I would, therefore, recommend to all jurors, to take care that unless the witnesses swear positively to the fact, they do not find a verdict, guilty; because, as the current cannot rise higher than the source, so the verdict of the juror ought not to be more absolute than the oath of the witness. In all cases, therefore, short of positive testimony, acquit.

These hints may also be of service to young attornies, and weak judges; so that honest people may not lose their lives, or be rendered infamous, without

full proof of the offence. It is hard enough to suffer when there is full proof; but to be in the power of a juror's or a judge's imagination, comparing and construing circumstances, and weighing possibilities, contingencies, and what might have been, or what might not have been, as the humour, caprice, wheel, or whim of the brain may suggest, is inconsistent with that fair trial which, in a free government, ought to be enjoyed. Was I a judge or juror, no one would I condemn without positive testimony of the fact.... For it would not be in my power to restore that fame or life which I took away from the innocent. And if a guilty person should escape, it was none of my look out; but the business of Providence to furnish proof, if it was intended that man should punish; and if proof is not furnished, let Providence take the matter on himself, and punish the culprit either in this life or in a future state. Invisible things belong to the Omniscient; and it would seem great arrogance in man to take upon him to decide in cases of uncertainty. I hope, therefore, yet to see the doctrine of presumptive proof, in criminal cases, wholly, in courts of justice, discountenanced. I can declare, that in the course of my experience at the bar, I have had one hung, and several others within an ace of it, who were innocent; and this on the doctrine of presumption and probability. The one that was hung was a tory case, where the popular clamour was against the man; and light presumption became violent, under such a charge.

I shall say no more on this subject; because it seems to me that I have been affecting to speak sense, whereas my business is to speak nonsense; this being the only way to keep out of the reach of criticism; because critics can say no more than you yourself allow; so that a charge of nonsense cannot

hurt. It is thus that persons who have a long nose, or disproportion of some other feature, take the laugh upon themselves first, and so escape ridicule. The truth is, I will not give myself the trouble to write sense long. For I would as soon please fools as wise men; because the fools are the most numerous, and every prudent man will go with the majority. I shall return to the adventures of the Captain.

CHAPTER X.

THE Presbytery sat a day or two at this place, on church affairs, and the Captain remaining with them, lodged at the same house; Teague, in the mean time, having an opportunity of ingratiating himself with the clergymen, by rubing down their horses, and other menial services. For it is the national character of the aboriginal Irish, to give fair words; and Teague was not deficient in this address. What with master Prasting, and giving a great deal of what is called blarney, he insinuated himself into their good graces; and by affecting, now and then, to be seen at prayers by himself, and to have a sorrowful countenance, he induced them to believe that he was in the first stage of conviction, and likely to become a pious man. Having made this progress in their good opinion, he ventured to suggest what was the ultimate object of his ambition, *viz.* the being a candidate for holy orders. The Presbytery, to whom the matter was represented by the individuals more particularly acquainted with him, thought favourably of the proposition. For though his common attainments might not be great, yet if the grace of God had wrought upon him, he might become a valuable man.

The Captain having got a hint of this, took the first opportunity of addressing the Presbytery. Gentlemen, said he, you are deceived in this ragamuffin. For, notwithstanding all the pretensions he may lately have to religion, you may be well assured that it is all hypocrisy, and that he has no more religion than my horse.

The Presbytery suspecting the Captain to be a carnal man, and regardless of the ministry, gave little heed to what he said, and seemed disposed to take Teague upon trials.

The Captain finding the case to stand thus, and that in spite of all he could do, he was likely to lose his servant, took his usual method of addressing the hopes and fears of Teague himself.

Taking him aside, he began, with all possible art, to impress such fears and apprehensions, as the nature of the case suggested. Teague, said he, do you know what you are about? You have got into your vagaries once more. You want to preach, do you? Are you apprised of the difficulty of this work? The first thing you will have to do, is to take a text; and when that is done, you have to split it into parts.... There are what are called heads; and these you must divide into firstlys, and secondlys, and thirdlys, and fourthlys, and so on, till you come to twentiethlys, perhaps. Are you furnished with a concordance? or do you know what a concordance is? Can you find a text to suit your purpose when you want it? Can you explain the scriptures; the meaning of Daniel's ram and the he-goat, or the seven trumpets in the Revelations? You are mistaken if you think your Irish will pass for Hebrew.

You think it a great honour to preach, do you? It was an honour once; but the thing is now become

so common, that it is of little consequence to preach or not.

But do you know how it will behove you to conduct yourself, if you take this office upon you. You will have to compose the muscles of your face to greater seriousness than your disposition can afford. You must quit whoring. How will you like that, Teague. It would look very ill after sermon to be catched in bed with a girl at a tavern.

But do you know why these men are so anxious to have you of their mess? The truth of the matter is, they carry on a war with the devil, and they wish to recruit you for the service. Do they give you any bounty-money. I am afraid, there will be but little of this going. Take my advice then, and let them settle their own quarrels. It is a silly thing to be drawn into a party, when there is but little to be got by it: Nay worse than little: For it will be all on the other side. Think you the devil will forget the mischief you do him in this world, and not resent it when he comes across you in a future state? When you are preaching and praying, do you think he will not hear all that you throw out against him. You may rely upon it, there will be enough to give him information; and as a story never loses in the telling, it is ten to one they will make the matter worse than it was. Take my advice, therefore, and make no enemies while you can help it. Steer through life as smoothly as possible. Keep a good tongue in your mouth. and let those who chuse to dispute with Belzebub, dispute. I never knew any good come of broils and quarrels, especially with low characters. And, to say the truth of it, this Satan, as they call him, is but a low fellow. Even where he is well disposed, he will do but little good to one; but a most dangerous creature where he takes a dis-

CHAPTER. II.

DELAYING some time in a village, there was a great deal said about a certain Miss Vapour, who was the belle of the place. Her father had made a fortune by the purchase of public securities. A garrison having been at this place, and troops quartered here he had been employed as an issuing commissary! When the commissioners sat to adjust unliquidated claims he had a good deal in his power. by vouching for the accounts of the butcher and baker and wood-cutter and water-drawer and waggoner, and others of all occupations whatsoever, whose claims were purchased by himself in the mean time and when the certificates issued in their names, they were to his use. The butcher and baker, no doubt, long before had been paid out of the flesh killed or bread baked; because it is a good maxim, and a scriptural expression "Muzzle not the ox that treadeth out the corn." But the public has a broad back, and a little vouching by a person interested is not greatly felt. These certificates though at first of little value, and issued by the commissioners with the liberality of those who give what is of little worth, yet by the funding acts of the government, having become, in value, equal to gold and

silver, the commissary had a great estate thrown upon him; so that from low beginnings he had become a man of fortune and consequence. His family, and especially the eldest daughter, shared the advantage; for she had become the object of almost all wooers. The Captain, though an old batchelor, as we have said, had not wholly lost the idea of matrimony. Happening to be in a circle one evening, where Miss Vapour was, he took a liking to her in all respects save one, which was that she seemed, on her part, to have taken a liking to a certain Mr. Jacko who was there present; and to whose attention she discovered a facility of acquiescence. The Captain behaved, for the present, as if he did not observe the preference; but the following day, waiting on the young lady at her father's house, he drew her into conversation, and began to reason with her in the following manner:

Miss Vapour, said he, you are a young lady of great beauty, great sense, and fortune still greater than either....This was a sad blunder in a man of gallantry, but the lady not being of the greatest sensibility of nerve, did not perceive it.....On my part, said he, I am a man of years, but a man of some reflection; and it would be much more adviseable in you to trust my experience, and the mellowness of my disposition in a state of matrimony, than the vanity and petulence of this young fop Jacko, for whom you shew a partiality. The colour coming into the young lady's face at this expression, she withdrew, and left him by himself. The Captain, struck with the rudeness, withdrew also, and, calling Teague from the kitchen, mounted his horse and set off.

The next morning shortly after he had got out of bed, and had just come down stairs at his lodging,

totally disregarded and thrown out? Because when human gifts or acquirements are absent, that which is supernatural more evidently appears.

Do not Quakers, and Methodists, and Baptists, preach very well? At any rate, they do a great deal of good, and that is the first object of preaching..... Whether such sermonists, avail themselves most of sense or sound, I will not say; but so it is they do good; and that without the aid of any human learning whatever.

It is very true, that formerly in the infancy of the church, a knowledge of languages and sciences, might be requisite. But the case is quite altered now. The Scripture has been well explained, and frequently preached over; every text and context examined, and passages illustrated. The Hebrew roots, so to speak, have been all dug up; and there is scarcely a new etymology to be made. Are there any new doctrines to discover? I should think it impossible. At any rate, I should conceive it unnecessary. There are enough in all conscience: The inventing more, would be like bringing timber to a wood, or coals to Newcastle.

This being the case, I feel myself disposed to agree with those who reject human learning in religious matters altogether. More especially as science is really not the fashion at the present time. For as has been before seen, even in the very province of science itself, it is dispensed with; that of natural philosophy, for instance. In state affairs, ignorance does very well, and why not in church? I am for having all things of a piece; ignorant statesmen, ignorant philosophers, and ignorant ecclesiastics. On this principle, Teague might have done very well as a preacher. But the selfishness of the Captain prevailed, and obstructed his advancement.

BOOK II.

CHAPTER I.

CONTAINING PRELIMINARY OBSERVATIONS.

I AM very happy in the composition of this work; for though but of a trifling nature as to sentiment; yet, in what I do write, no one can attribute to me the least tincture of satire, or ridicule of individuals or public bodies. This is what I very much dislike in others, and would be far from indulging in myself. I acknowledge, that in my earlier years, and in the course of my academical studies, I had contracted some taste, and even habit, this way; owing to my reading the dialogues of Lucian, in the original Greek. Had I read them in a translation, they might have made less impression. But by means of a difficult language, studying them slowly, the turn of thought became more deeply impressed upon my mind. Moreover, afterwards, when I came to have some acquaintance with the modern wits,

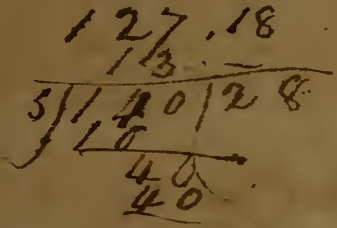
such as Cervantes, Le Sage, and especially Swift, I found myself still more inclined to an ironical, and ludicrous way of thinking and writing. But finding the bad effects of this, in many respects, leading me into broils with individuals, and rendering me obnoxious to public bodies, I saw the indiscretion, and bad policy of such indulgence; and have for several years past, carefully avoided every thing of this kind. It is indeed acting but a poor part in life, to make a business of laughing at the follies of others. It is injurious to one's self; for there is a great deal more to be gained by soothing and praising what men do, than by finding fault with them. It may be said of satire, what was said of anger by some philosopher, It never pays the service it requires. It is your scratching, rump-tickling people, that get into place and power. I never knew any good come of wit and humour yet. They are talents which keep the owner down. For this reason, I have taken care to repress all propensity to this vice; and I believe I can say it with truth, that since I have come to the years of a man's understanding, I have carefully avoided every thing of this nature. Had it not been for this prudence, I should not have been in a fair way, as I now am, to be a member of congress, or a judge on the bench, or governor of a commonwealth, or secretary of state, or any thing that I may have in view. Had I remained an admirer of Rabelais, or Sterne, or other biting, jeering writers, that I at first met with, I might at this day have been considered as a wit only, without the least advancement in state affairs. But I would sooner see your Juniuses, and your Peter Pindars, libelling kings and ministers, at hell, than sacrifice my interest to my passion, or my vanity, by strokes of wit, which is but another name for ill-nature.

In this treatise, which is simply a relation of the adventures of an individual, I have nothing to do with strictures upon particular persons, or the affairs of men in general, and so have no temptation to the folly I have just mentioned. The reader, if any body ever reads it, will find nothing here but philanthropic and benevolent ideas.

Indeed, as it has been known that I was engaged in writing something, persons who either took, or pretended to take, some interest in my affairs have urged me very much to depart a little from my usual way, and make use of a little irony, by way of seasoning to the composition; for, in this case, it would be received better, and procure more readers; mankind being naturally delighted with ridicule.... But the truth was, I could see nothing to be ironical about; owing, perhaps, to my not being in the habit of looking for the ridiculous, and so having lost the talent of discovering it. But my resolution that I had taken would have fully preserved me from such a lapse, however numerous the objects of ridicule might be, that presented themselves. This will serve as an apology to those who have solicited me on this head, and relieve me from such solicitations for the future.

like. When you go to hell, as one day you must, you can expect but little quarter, after abusing him in this world. He will make you squeel like a pig; take you by the throat, and kick you like a cat. His very scullions will piss upon you, and give you no better life than a dog among their feet; while these very clergymen, that put you forward to blackguard for them, will stand by laughing in their sleeves that you could be such a fool.

The representation had the desired effect upon Teague, and he thought no more of the matter.



CHAPTER XI.

OBSERVATIONS.

THE application made by Teague, to be admitted to the ministry and the simplicity of the ecclesiastics in listening to his overtures made a great noise through the neighbourhood; in as much as the young man laboured under a want of education, and was not qualified by theological reading. But I do not see why it should be thought blamable; provided the matter was not too much hurried and hastily brought forward. For give him a little time and he might have been instructed to preach as well as some that I myself have heard Especially if at first setting out, he had confined himself to historical passages of scripture; such as the history of Sampson, and Gideon, and Barak and the like: Only he must have taken care that in pronouncing Barak with the brogue upon his tongue, he did not make it Burke; for that is a patronimic name of his country and he might inadvertently have fallen into this pronunciation.

I acknowledge that in the regular churches such as that of the Presbyterians there is still kept up some opinion of the necessity of literature. But do we not see that with other denominations; such as the Quakers, the Methodists, and Anabaptists, it is

and was buttoning the knees of his breeches, a light airy looking young man, with much bowing and civility, entered the hall of the public house, and enquiring if this was not Captain Farrago to whom he had the honour to address himself, and delivered him a paper. On the perusal, it was found to be a challenge from Mr. Jacko.

The fact was, that Miss Vapour, in order the more to recommend herself to her suitor, had informed him of the language of the Captain. The young man, though he had no great stomach for the matter, yet according to the custom of these times, could do no less than challenge. The bearer was what is called his second.

The Captain having read the paper, and pausing a while, said, Mr. Second, for that I take to be your stile and character, is it consistent with reason or common sense, to be the aider or abettor of another man's folly; perhaps the prompter: for it is no uncommon thing with persons to inflame the passions of their friends, rather than allay them. This young woman, for I shall not call her lady, from vanity, or ill-nature, or both, has become a tale-bearer to her lover, who, I will venture to say, thanks her but little for it; as she has thereby rendered it necessary for him to take this step. You, in the mean time, are not blameless, as it became you to have declined the office, and thereby furnished an excuse to your friend for not complying with the custom. For it would have been a sufficient apology with the lady to have said, although he was disposed to fight, yet he could get no one to be his armour-bearer or assistant. It could have been put upon the footing that all had such regard for his life, that no one would countenance him in ris'ing it. You would have saved him by this means, all that uneasiness which he feels at

present, least I should accept his challenge. I am not so unacquainted with human nature, as not to know how disagreeable it must be to think of having a pistol ball lodged in the groin or the left breast, or, to make the best of it the pan of the knee broke, or the nose cut off or some wound less than mortal given; disagreeable, especially to a man in the bloom of life, and on the point of marriage with a woman to whose person or fortune he has no exception. I would venture to say, therefore, there will be no great difficulty in appeasing this Orlando Furioso, that has sent me the challenge. Did you now the state of his mind, you would find it to be his wish at this moment that I would ease his fears and make some apology. A very slight one would suffice. I dare say his resentment against Miss Vapour is not slight, and that he would renounce her person and fortune both, to get quit of the duel. But the opinion of the world is against him, and he must fight. Do you think he has any great gratitude to you for your services on this occasion. He had much rather you had, in the freedom of friendship, given him a kick on the backside, when he made application to you; and told him, that it did not become him to quarrel about a woman, who had, probably, consulted but her own vanity, in giving him the information. In that case, he would have been more pleased with you a month hence, than he is at present. I do not know that he has an overstock of sense; nevertheless, he cannot be just such a fool, as not to consider, that you, yourself, may have pretensions to this belle, and be disposed to have him out of the way before you. He must be a fool, indeed, if he does not reflect, that you had much rather see us fight than not; from the very same principle that we take delight in seeing a cock-match, or a horse-race. The specta-

cle is new, and produces a brisk current of thought through the mind; which is a constituent of pleasure, the absence of all movement giving none at all.

What do you suppose I must think of you, Mr. Second; I, who have read books, and thought a little on the subject; have made up my mind in these matters, and account the squires that bring challenges from knights, as people of but very small desert. Thinking men have condemned the duel, and laws have prohibited it; but these miscreants still keep it up, by being the conductors of the fluid. My indignation, therefore, falls on such, and I have long ago fixed on the mode of treating them. It is this: a stout athletic man calls upon me, with a challenge in his hand, I knock him down, if I can, without saying a word. If the natural arm be not sufficient for this purpose, I avail myself of any stone, wooden, or iron instrument that I cast my eye upon, not just to take away his life, if I can help it; but to hit the line as exactly as possible, between actual homicide, and a very bad wound. For in this case, I should conceive, a battery would be justifiable, or at least excuseable, and the fine not great; the bearing a challenge being a breach of the peace, in the first instance. This would be my conduct with a stout athletic man, whom I might think it dangerous to encounter with fair warning, and on equal terms. But in the present case, where.....(Here the second began to shew signs of fear, raising himself, and inclining backwards, opening his eyes wider, and casting a look towards the door)....where, continued the Captain, I have to do with a person of your slender make, I do not adopt that surprise, or use an artificial weapon; but with these fists, which have been used in early life to agricultural employments, I shall very deliberately impress a blow. The second rising to

his feet, began to recede a little. Be under no apprehensions, said the Captain; I shall use no unfair method of biting, gouging, or wounding the private parts. Nay, as you appear to be a young man of a delicate constitution, I shall only choak a little..... You will give me leave to take you by the throat in as easy a manner as possible.

In the mean time, the second had been withdrawing towards the door, and the Captain with outstretched arms, in a sideway direction, proceeding to intercept him. In an instant, he was seized by the neck, and the exclamation of murder which he made at the first grasp, began to die away in hoarse guttural murmurs of one nearly strangled, and labouring for breath. The Captain meaning that he should be more alarmed than hurt, dismissed him with a salutation of his foot on the backside, as a *claude ostium*, as he went out. You may be, said he, a gentleman in the opinion of the world; but you are a low person in mine; and so shall it be done to every one who shall come upon such an errand.

CHAPTER III.

HAVING thus dismissed the secondary man, he called in his servant Teague, and accosted him as follows: Teague, said he, you have heretofore discovered an ambition to be employed in some way that would advance your reputation. There is now a case fallen out, to which you are fully competent. It is not a matter that requires the head to contrive, but the hand to execute. The greatest fool is as fit for it as a wise man. It is indeed your greatest blockheads that chiefly undertake it. The knowledge of law, physic, or divinity is out of the question. Literature and political understanding is useless. Nothing more is necessary than a little resolution of the heart. Yet it is an undertaking which is of much estimation with the rabble, and has a great many on its side to approve and praise it. The females of the world, especially, admire the act, and call it valour. I know you wish to stand well with the ladies. Here is an opportunity of advancing your credit. I have had what is called a challenge sent me this morning. It is from a certain Jacko, who is a suitor to a Miss Vapour, and has taken offence at an expression of mine, respecting him to this female. I wish you to accept the challenge, and fight him for me.

At this proposition, Teague looked wild, and made apology that he was not much used to boxing. Boxing, said the Captain; you are to fight what is called a duel. You are to encounter him with pistols and put a bullet through him if you can. It is true, he will have the chance of putting one through you; but in that consists the honour; for where there is no danger, there is no glory. You will provide yourself a second. There is an hostler here at the public house, that is a brave fellow, and will answer the purpose. Being furnished with a second, you will provide yourself with a pair of pistols, powder and ball of course. In the mean time, your adversary notified of your intentions, will do the like. Thus equipped, you will advance to the place agreed upon. The ground will be measured out; ten, seven, or five steps; back to back, and coming round to your place, fire. Or taking your ground, stand still and fire; or it may be, advance and fire as you meet, at what distance you think proper. The rules in this respect are not fixed, but as the parties can agree or the seconds point out. When you come to fire, be sure you keep a steady hand, and take good aim. Remember that the pistol barrel being short, the powder is apt to throw the bullet up. Your sight therefore, ought to be about the waistband of his breeches, so that you have the whole length of his body, and his head in the bargain, to come and go upon. It is true, he in the meantime, will take the same advantages of you. He may hit you about the groin, or the belly. I have known some shot in the thigh, or the leg, or the private parts. The throat also, and the head are in themselves vulnerable. It is no uncommon thing to have an arm broke, or a splinter struck off the nose, or an eye shot out; but as in that case, the ball mostly

passes through the brain, and the man being dead at any rate, the loss of sight is not greatly felt.

As the Captain spoke, Teague seemed to feel in himself, every wound which was described, the ball hitting him, now in one part, and now in another. At the last words, it seemed to pass through his head, and he was half dead, in imagination. Making a shift to express himself, he gave the Captain to understand, that he could by no means undertake the office. What! said the Captain; you whom nothing would serve, some time ago, but to be a legislator, or philosopher, or preacher, in order to gain fame, will now detract a business for which you are qualified. This requires no knowledge of finances, no reading of natural history, or any study of the fathers. You have nothing more to do than keep a steady hand and a good eye.

In the early practice of this exercise; I mean the combat of the duel, it was customary to exact an oath of the combatants, before they entered the lists, that they had no enchantments, or power of witchcraft, about them. Whether you should think it necessary to put him to his *voir dire*, on this point, I shall not say; but I am persuaded, that on your part, you have too much honour, to make use of spells, or undue means, to take away his life, or save your own. You will leave all to the chance of fair shooting. One thing you will observe, and which is allowable in this battle; you will take care not to present yourself to him with a full breast, but angularly, and your head turned round over the left shoulder, like a weather-cock. For thus a smaller surface being presented to an adversary, he will be less likely to hit you. You must throw your legs into lines parallel, and keep them one directly behind the other. Thus you will stand like a sail

hauled close to the wind. Keep a good countenance, a sharp eye, and a sour look; and if you feel any thing like a cholic, or a palpitation of the heart, make no noise about it. If the ball should take you in the gills, or the gizzard, fall down as decently as you can, and die like a man of honour.

It was of no use to urge the matter; the Irishman was but the more opposed to the proposition, and utterly refused to be after fighting in any such manner. The Captain finding this to be the case, dismissed him to clean his boots and spurs, and rub down his horse in the stable.

CHAPTER IV.

ON reflection, it seemed adviseable to the Captain to write an answer to the card which Colonel or Major Jacko, or whatever his title may have been, had sent him this morning. It was as follows:

SIR,

I have two objections to this duel matter. The one is, lest I should hurt you; and the other is, lest you should hurt me. I do not see any good it would do me to put a bullet through any part of your body. I could make no use of you when dead, for any culinary purpose, as I would a rabbit or a turkey. I am no cannibal to feed on the flesh of men. Why then shoot down a human creature, of which I could make no use. A buffaloe would be better meat. For though your flesh might be delicate and tender; yet it wants that firmness and consistency which takes and retains salt. At any rate it would not be fit for long sea voyages. You might make a good barbecue, it is true, being of the nature of a racoon or an opossum; but people are not in the habit of barbecuing any thing human now. As to your hide, it is not worth the taking off, being little better than that of a year old colt.

It would seem to me a strange thing to shoot at a man that would stand still to be shot at; in as much as I have been heretofore used to shoot at things flying, or running, or jumping. Were you on a tree now, like a squirrel, endeavouring to hide yourself in the branches, or like a racoon, that after much eyeing and spying I observe at length in the crotch of a tall oak, with boughs and leaves intervening, so that I could just get a sight of his hinder parts, I should think it pleasurable enough to take a shot at you. But as it is, there is no skill or judgment requisite either to discover or take you down.

As to myself, I do not much like to stand in the way of any thing that is harmful. I am under apprehensions you might hit me. That being the case, I think it most advisable to stay at a distance. If you want to try your pistols, take some object, a tree or a barn door about my dimensions. If you hit that, send me word, and I shall acknowledge that if I had been in the same place, you might also have hit me.

J. F.

CHAPTER V.

CONTAINING REFLECTIONS.

THE Captain was a good man, but unacquainted with the world. His ideas were drawn chiefly from what may be called the old school; the Greek and Roman notions of things. The combat of the duel was to them unknown. Though it seems strange, that a people who were famous for almost all arts and sciences should have remained ignorant of its use. I do not conceive how, as a people, they could exist without it. But so it was, they actually were without the knowledge of it. For we do not find any trace of this custom in the poets or historians of all antiquity.

I do not know at what period, precisely, the custom was introduced; or to whom it was owing; but omitting this disquisition we content ourselves with observing, that it has produced as great an improvement in manners, as the discovery of the load-stone, and mariner's compass, has in navigation. Not that I mean to descant, at full length, on the valuable effects of it; but simply to observe, that it is a greater aid to government than the alliance of church and state itself. If Dr. Warburton had had leisure, I

could wish he had written a treatise upon it. Some affect to ridicule it, as carrying to a greater length small differences, than the aggravation may justify. As for instance, a man is angry enough with you to give you a slap in the face; but the custom says, he must shoot you through the head. I think the smaller the aggravation, the nicer the sense of honour. The heaviest mind will resent a gross affront; but to kill a man where there is no affront at all, shews a great sensibility. It is immaterial whether there is or is not an injury, provided the world thinks there is; for it is the opinion of mankind we are to consult. It is a duty which we owe them to provide for their amusement. *Non nasscimur nobis ipsis;* we are not born for ourselves, but for others. *Decorum pro patria mori;* it is a becoming thing to die for one's country; and shall it not also be accounted honourable to throw one's life away for the entertainment of a few particular neighbours and acquaintances. It is true, the tears that will be shed upon your grave, will not make the grass grow; but you will have the consolation, when you leave the world, to have fallen in the bed of honour.

It is certainly a very noble institution, that of the duel; and it has been carried to very great perfection, in some respects. Nevertheless, I would submit it to the public, whether still further improvement might not be made in the laws and regulations of it. For instance, could it not be reduced nearer to an equality of chances, by proportioning the caliber, or bore of the pistol; the length of the barrel, also, to the size of the duellist who holds it; or by fixing the ratio of distance in proportion to the bulk of combatants. To explain myself: When I am to fight a man of a small size, I ought to have a longer pistol than my adversary, because my mark is small-

er; or I ought to be permitted to come nearer to him. For it is altogether unfair that men of unequal bulk should fire at equal distances, and with equal calibers. The smaller size multiplied by the larger space, or larger pistol, would equal the larger size multiplied by the smaller space or smaller pistol.... If this amendment of the duel laws should be approved by men of honour, let it be added to the code.

CHAPTER VI.

NOT long after this, being at a certain place, the Captain was accosted by a stranger in the following manner: Captain, said he, I have heard of a young man in your service who talks Irish. Now, Sir, my business is that of an Indian treaty-maker; and am on my way with a party of kings, and half-kings to the commissioners, to hold a treaty. My king of the Kickapoos, who was a Welch blacksmith, took sick by the way, and is dead: I have heard of this lad of yours, and could wish to have him a while to supply his place. The treaty will not last longer than a couple of weeks; and as the government will probably allow three or four thousand dollars for the treaty, it will be in our power to make it worth your while, to spare him for that time. Your king of the Kickapoos, said the Captain; what does that mean? Said the stranger, It is just this: you have heard of the Indian nations to the westward, that occasionally make war upon the frontier settlements. It has been a policy of government, to treat with these, and distribute goods. Commissioners are appointed for that purpose. Now you are not to suppose that it is always an easy matter to catch a real chief, and bring him from the woods; or if at some expence

one was brought, the goods would go to his use; whereas, it is much more profitable to hire substitutes and make chiefs of our own: And as some unknown gibberish is necessary, to pass for an Indian language, we generally make use of Welch, or Low Dutch, or Irish; or pick up an ingenious fellow here and there, who can imitate a language by sounds of his own, in his mouth, and throat. But we prefer one who can speak a real tongue, and give more for him. We cannot afford you a great deal at this time for the use of your man; because it is not a general treaty where 20,000, or 30,000 dollars are appropriated for the purpose of holding it; but an occasional, or what we call a running treaty, by way of brightening the chain, and holding fast friendship. The commissioners will doubtless be glad to see us, and procure from government an allowance for the treaty. For the more treaties, the more use for commissioners. The business must be kept up, and treaties made if there are none of themselves. My Pianksha, and Choctaw chiefs, are very good fellows; the one of them a Scotch pedlar that talks the Erse; the other has been some time in Canada, and has a little broken Indian, God knows what language; but has been of great service in assisting to teach the rest some Indian custom and manners. I have had the whole of them for a fortnight past under my tuition, teaching them war songs and dances, and to make responses at the treaty. If your man is tractable, I can make him a Kickapoo in about nine days. A breech-clout and leggins, that I took off the blacksmith that died, I have ready to put on him. He must have part of his head shaved, and painted, with feathers on his crown; but the paint will rub off, and the hair grow in a short time, so that he can go about with you again.

It is a very strange affair, said the Captain. Is it possible that such deception can be practised in a new country. It astonishes me, that the government does not detect such imposition. The government, said the Indian treaty-man, is at a great distance. It knows no more of Indians than a cow does of Greek. The legislature, hears of wars and rumours of wars, and supports the executive in forming treaties.... How is it posssible for men who live remote from the scene of action, to have adequate ideas of the nature of Indians, or the transactions that are carried on in their behalf? Do you think the one half of those savages that come to treat, are real representatives of the nation? Many of them are not savages at all; but weavers, and pedlars, as I have told you, picked up to make kings and chiefs. I speak of those particularly that come trading down to inland towns, or the metropolis. I would not communicate these mysteries of our trade, were it not that I confide in your good sense, and have occasion for your servant.

It is a mystery of iniquity, said the Captain. Do you suppose that I would countenance such a fraud upon the public? I do not know, said the other; it is a very common thing for men to speculate, now a-days. If you will not, another will. A hundred dollars might as well be in your pocket as another man's. I will give you that for the use of your servant, for a week or two, and say no more about it. It is an idea new to me entirely, said the Captain, that Indian princes, whom I have seen escorted down as such, were no more than trumpery, disguised, as you mention; that such should be introduced to polite assemblies, and have the honour to salute the fair ladies with a kiss, the greatest beauties thinking themselves honoured by having the salution of a sovereign? It is so, said the other; I had a red headed

bricklayer once, whom I passed for a Chippawaw; and who has dined with clubs, and sat next the President. He was blind of an eye, and was called blind Sam by the traders. I had given it out that he was a great warrior, and had lost his eye by an arrow, in a contest with a rival nation. These things are now reduced to a system; and it is so well known to those who are engaged in the traffic, that we think nothing of it.

How the devil, said the Captain, do you get speeches made, and interpret them so as to pass for truth. That is an easy matter, said the other; Indian speeches are nearly all alike. You have only to talk of burying hatches under large trees, kindling fires, brightening chains; with a demand, at the latter end, of blankets for the backside, and rum to get drunk with.

I much doubt, said the Captain, whether treaties that are carried on in earnest, are of any great use. Of none at all, said the other; especially as the practice of giving goods prevails; because this is an inducement to a fresh war. This being the case, it can be no harm to make a farce of the whole matter; or rather a profit of it; by such means as I propose to you, and have pursued myself.

After all, said the Captain, I cannot but consider it as a kind of contraband and illicit traffic; and I must be excused from having any hand in it, I shall not betray your secret, but I shall not favour it. It would ill become me, whose object in riding about in this manner, is to give just ideas on subjects, to take part in such ill-gotten gain.

The Indian treaty-man finding it in vain to say more, withdrew.

CHAPTER VII.

THE Captain apprehending that he might not yet drop his designs upon the Irishman, but be tampering with him out of doors, should he come across him, sent for Teague. For he well knew, that should the Indian treaty-man get the first word of him, the idea of making him a king, would turn his head, and it would be impossible to prevent his going with him.

Teague coming in, said the Captain to him; Teague, I have discovered in you, for some time past, a great spirit of ambition, which is, doubtless, commendable in a young person; and I have checked it only in cases where there was real danger, or apparent mischief. There is now an opportunity of advancing yourself, not so much in the way of honour as profit. But profit brings honour, and is, indeed, the most substantial support of it. There has been a man here with me, that carries on a trade with the Indians, and tells me that red-headed scalps are in great demand with them. If you could spare yours, he would give a good price for it. I do not well know what use they make of this article, but so it is, the traders find their account in it. Probably they dress it with the hairy side out, and make tobacco-

pouches for the chiefs, when they meet in council. It saves dyeing, and besides, the natural red hair of a man, may, in their estimation, be superior to any colour they can give by art. The taking off the scalp will not give much pain, it is so dextrously done by them with a crooked knife they have for that purpose. The mode of taking off the scalp is this; you lie down upon your back; a warrior puts his feet upon your shoulders, collects your hair in his left hand, and drawing a circle with the knife in his right, makes the incision, and, with a sudden pull, separates it from the head, giving, in the mean time, what is called the scalp yell. The thing is done in such an instant, that the pain is scarcely felt. He offered me an hundred dollars, if I would have it taken off for his use, giving me directions, in the mean time, how to stretch it and dry it on a hoop. I told him, No; it was a perquisite of your own, and you might dispose of it as you thought proper. If you choose to dispose of it, I had no objections; but the bargain should be of your own making, and the price such as should please yourself. I have sent for you, to give you a hint of this chapman, that you may have a knowledge of his wish to possess the property, and ask accordingly. It is probable you may bring him up to a half Johannes more, by holding out a little. But I do not think it would be adviseable to lose the bargain. An hundred dollars for a little hairy flesh, is a great deal. You will trot a long time before you make that with me. He will be with you probably to propose the purchase. You will know when you see him. He is a tall looking man, with leggins on, and has several Indians with him going to a treaty. He talked to me something of making you a king of the Kickapoos, after the scalp is off; but I would not count on

that so much; because words are but wind, and promises are easily broken. I would advise you to make sure of the money in the first place, and take chance for the rest.

I have seen among the prints of Hogarth, some such expression of countenance as that of Teague at this instant; who, as soon as he could speak, but with a double brogue on his tongue, began to intimate his disinclination to the traffic. The hair of his scalp itself, in the mean time had risen in opposition to it. Dear master, vid you trow me into ridicule, and the blessed shalvation of my life, and all dat I have in the vorld, to be trown like a dog to de savages, and have my flesh tarn of my head to give to dese vild bastes to make a napsack to carry their parates and tings in, for an hundred dollars or the like. It shall never be said that the hair of the Oregans made mackeseens for a vild Indian to trat upon. I would sooner trow my own head, hair, and all in de fire, dan give it to dese paple to smoke wid, out of deir long pipes.

If this be your determination, said the Captain, it will behove you to keep yourself somewhat close; and while we remain at this public house, avoid any conversation with the chapman or his agents, should they come to tamper with you. For it is not improbable, while they are keeping you in talk, proposing to make you a Kickapoo chief, and the like, they may snatch the scalp off your head, and you not be the wiser for it.

Teague thought the caution good, and resolving to abide by it, retired to the kitchen. The maid at this time, happening to want a log of wood, requested Teague to cut it for her. Taking the ax accordingly, and going out, he was busy chopping, with his head down; while, in the mean time, the Indian

treaty-man had returned with one in Indian dress, who was the chief of the Killinoos, or at least passed for such; and whom he brought as having some recruiting talents, and might prevail with Teague to elope, and join the company. I presume, said the Indian treaty-man, you are the waiter of the Captain who lodges here at present. Teague hearing a man speak, and lifting up his head, saw the leggins on the one, and the Indian dress on the other; and with a kind of involuntary effort, threw the ax directly from him at the Killinno. It missed him but about an inch, and fell behind. Teague, in the mean time, raising a shout of desperation, was fixed on the spot, and his locomotive faculties suspended; so that he could neither retreat nor advance, but stood still, like one enchained or enchanted for a moment; the king of the Killinoos, in the mean time, drawing his tomahawk, and preparing for battle.

The Captain, who was reading at a front window, hearing the shout, looked about, and saw what was going on at the wood-pile. Stop villain, said he, to the king of the Killinoos; you are not to take that scalp yet, however much you may value it. He will not take an hundred dollars for it, nor 500, though you make him king of the Kickapoos, or any thing else. It is no trifling matter to have the ears slit in tatters, and the nose run through with a bodkin, and a goose quill stuck across; so that you may go about your business; you will get no king of the Kickapoos here. Under cover of this address of the Captain, Teague had retired to the kitchen, and ensconced himself behind the rampart of the maid. The Indian treaty-man, and the Killinoo chief, finding the measure hopeless, withdrew, and turned their attention, it is to be supposed, to some other quarter, to find a king of the Kickapoos.

CHAPTER VIII.

CONTAINING OBSERVATIONS.

THE Captain was certainly to be commended in declining to countenance the imposition of making Teague a Kickapoo chief. Had he been disposed to adventure in a contraband trade of this kind, he might have undertaken it as a principal, and not as furnishing an assistant only. He could have passed Teague for a chief, and himself for an interpreter. He might pretend to have conducted this prince from a very distant nation, and that he had been several moons in travelling, and wanted, the Lord knows how much, goods for his people, that otherwise would come to war. By this means the Captain would have taken the whole emolument of the treaty, and not have been put off with a small share of the profit which another made by it.

I should like to have seen Teague in an Indian dress, come to treat with the commissioners. It would be necessary for him only to talk Irish, which he might pass for the Shawanese, or other language. The Captain could have interpreted in the usual words on these occasions.

The policy of treating with the Indians is very good; because it takes off a great deal of loose merchandize, that might otherwise lie upon our hands, and cuts away superfluities from the finances of the government; at the same time, as every fresh treaty lays the foundation of a new war, it will serve to check the too rapid growth of the settlements. The extremities of a government, like the arm or ancle of an individual, are the parts at which blood is to be let.

Struck with the good effects of treating with the savages, and that our wise men who conduct affairs, pursue the policy I have been led to wonder, that the agricultural societies, have not proposed treaties with the wolves and bears, that they might not clandestinely invade our sheep and pig folds. This might be done by sending messages to the several ursine and vulpine nations, and calling them to a council-fire, to which four or five hundred waggon load of beef should be sent, and distributed. If it should be said, that this would restrain them no longer from their prey than while they continued to be satiated, the same might be said of the Potawatamies, or other Indian nations; and yet we see that those at the head of our affairs think it prudent to negociate with them.

A bear and wolf treaty might seem an odd thing at first, but we should soon come to be accustomed to it. I should be sorry abuses should prevail, by treaty-making men passing rough water-dogs for bears, or mastiffs for wolves, upon our secretaries at war, or subordinate commissioners; which might be done as in the case of the savages, where it is pretended that some tribes had not been at the general treaty, now sends a chief to represent them and to get goods.

If our traders go amongst the wolves in consequence of a treaty, I could wish they could check themselves in the introduction of spirituous liquors. A drunk wolf, or bear, would be a dangerous animal. It may be thought that a bear of wolf chief would not get drunk, as it would be setting a bad example to their people; but I have seen Indian kings lying on the earth drunk, and exposing their nakedness, like Noah to Shem, Ham, and Japheth; and if Indians, that are a sort of human creatures, act thus, what might we not expect from a poor brute wolf or bear?

If treaties with the wolves and bears should be found to succeed it might not be amiss to institute them also with the foxes. This is a sagacious animal, and destructive to ducks and other fowls. It would be a great matter to settle a treaty with them, which might be done at the expence of nine or ten thousand dollars laid out in goods.

CHAPTER IX.

MEANING to remain some time in a certain town to which he came, the Captain had his horse put out to pasture, and took private lodgings. The first day at dinner, he was struck with the appearance of a young man who sat at table, but could not be said to dine with them; for except a little water and a bit of bread, he ate or drank nothing; and though sometimes addressed, he made no answer. There was a settled melancholy in his countenance, and he often sighed deeply. He had been in this house six weeks, and had behaved uniformly in the same manner. In the evening he would walk by himself till midnight. Whence he came, or what was his object, no one knew. He had bespoke a back room, and wished to have one where there was but little light; also, that a little water, and a bit of bread might be sent when he should require it. The landlady not chusing to have a person in the house who was unwilling to be seen, declined the circumstance of sending in provisions to his room; but thought it proper he should come to table. He did so; but entered into no conversation, though much pains was taken to engage him. He had paid his boarding regularly, and did not seem to be in want

of money. This was the account given by the family, when the young man retired from dinner.

The Captain's curiosity was much excited; for being a philanthropic man, he found himself interested in the history of this person. Taking an opportunity that very evening, when the young man was walking in the back porch, he joined him, and with the bluntness of a plain man, accosted him.... Sir, said he, it is from no motive of vain curiosity, that I thus address you. It is from a disposition to know and alleviate your griefs. For it is evident to me that something hangs heavy on your mind. I am a man, as you see, advanced in life, and have had some experience. It is possible it may be in my power to say or do something that may serve you; at least it is my disposition to soothe your melancholy. If it should be an unfortunate murder, the guilt of which lies upon your mind, you will find no accuser in me; I shall preserve a secret obtained in this manner. Probably it may have been a duel, and with such alleviating circumstances, that though the law would take hold of it, humanity will excuse.

The young man finding the charge of murder, or suspicion of it, ready to be fixed upon him, spoke. Said he, I am no murderer, but a murdered man myself. I am in love with a young woman of the most celestial beauty, but of a cruel heart.

The beauty may be more in your brain than in her face, said the Captain; for, as the poet says,

"The Lunatic, the Lover, and the Poet,
"Are of imagination all compact;
"One sees more devils than vast hell can hold;
"That is the madman: The other, all as frantic,
"Sees Helen's beauty in a brow of Egypt."

I am not unacquainted with the nature of this passion; and have seen a gypsey myself, in my time, that has had dominion over me. Perhaps I may have been carried to as much extravagance as other people; and therefore am a proper person to advise against it. A principal source of my extravagance, was an opinion that the jade who had hold of my affections at the time, would pity me when she heard of the pain which her beauty gave me; that she would be afraid I would hang myself for her sake; that she would come to sooth and caress me, in order to prevent it. Far from it. My uneasiness was the proof of her power to wound; and the more distress I felt, the greater credit to her beauty. She would not have lost a sigh which she caused me for any consideration. My lamentations were as agreeable to her, as the groans of the damned are to the devil. And so it must be with every woman; because self love induces it. Hanging is the last thing they would be at. If they could get the lover bro't to this, they are then at the height of fame. It falls but to the lot of one here and there to have a man drown himself for her; and when it does happen, it makes such a noise that all covet it.

I would venture to say, that this female whom you fast and pray about so much, would be very unwilling to breathe the soul into you, were it once out. Instead of fasting, she is eating; and while you sigh in the night, she snores.

You have an idea, perhaps, that you may bend her by your perseverance. That is a mistake. A man that once comes to this state of sighing, and dying, has but little chance; because he has surrendered himself; and there is nothing more to be won. Were there any possibility of succeeding, it would be by first conquering yourself; dismissing all idea

of her partiality for you; for it is owing to this secret vanity, and self flattery, that you still pursue. Absolute despair is the first step towards the cure of love. It is either drowning or curing, with you at present. As you have not drowned yourself, you are in a fair way to be cured.

I know very well how you missed the matter with this hussy. You appear to be a young man of great sensibility of feeling; and I presume made your addresses with great refinement of thought and manners. You talked to her of flames and darts, and flowers and roses; read poetry in the mean time, and thought a great deal of Phillis, and Amaryllis; and entertained her with names and incidents in romances, and sung and recited soft love songs of Amanda, and Phebe, and Colin; whereas your way was to have talked careless nonsense, and sung such songs as Pady Kelly, and Tristram Shandy-O; and told her stories of girls that had ran off with pedlars, or gone a campaigning with the soldiers. These ideas are light and frolicsome, and co-natural to springing love. Hence it is that men of but loose and irregular education, succeed better with the fair than scholars that are learned in the classics.

But to bring the matter to a point, the true way is to get another mistress; and profit by your experience with the first. No more of sighing and dying in the case; but singing, and laughing, and jumping like a young fox. Hint a little with respect to certain matters that are between the sexes; but let it be done in so delicate a manner, that, though she understands you, she is not obliged to do it. What I mean, is to make her think you would rather debauch her than marry her. Bring her to this suspicion, and I warrant you. Her whole study

will be to entrap you into matrimony. For it is natural for the human mind, when it observes a great security and confidence in another, to imagine there must be some ground for it. It will argue a consciousness, on your part, of having a good or better in your power. It will impress her with the same idea; and imagination governs the world.

When the mind is bent upon any object, it is relieved by the conversation of those who understand it; and, as it were, dissolve with them in the same ideas. The young man was pleased with the conversation of the Captain, and seemed cheered; agreed to join the family, and be sociable. By degrees he became so; and what by the conversation of the Captain, sometimes explaining and sometimes ridiculing the passion of love; and the young ladies of the family, in the mean time, rallying him on his weakness, he came a little to his senses, (for love is a phrenzy), and began to behave like a common man. For it having come out now, that love was the cause of his distress and singularity of conduct, some pitied him, and others rallied it with good humour and philanthrophy. It had, however, become the general topic in the family, and was carried down to the kitchen among the servants.

Teague hearing of it, took it into his head that he must be in love too; and counterfeiting a demure look, and absence of mind, and walking by himself, and living on spare diet, as he had heard the young man that was in love did, he wished to have it understood that his mind was under the dominion of the same passion. This being observed, was represented to the Captain; who being at a loss to know what was the matter, called Teague, and began to interrogate him. The bog-trotter, with some seeming reluctance, acknowledged that it was love. You in

love, said the Captain, you great bear; with whom are you in love? That dear cratur, said the Irishman, that has the black hair, and the fair face, and her name is Mrs. Sally, in the house there. She is a fair as the wool or the snow, and gives me the cholic, and the heart-burn, every time I look at her fair eyes; God save her soul from damnation, but I love her as I do the very food that I ate, or the clothes that I ware upon my back.

It appeared to be Miss Sally, a very pretty girl, the eldest daughter of the landlady; who, by the bye, I mean the ladlady, was a widow, and had two daughters and a niece with her; the handsomest of whom was this Miss Sally, with whom Teague had become enamoured. For simple and ignorant nature will fasten on beauty, as well as the most instructed in the principles of taste.

The Captain having been a good deal troubled, heretofore, with the pretensions of this valet, in wishing to be a member of the legislature, a philosopher, a preacher, and now a lover, thought he had now a good opportunity of repressing his presumption for the future. There was a young man, a brother in the family, who had been some time in the service, as a lieutenant, and had leave of absence at this time, on a visit to his mother and sisters. The Captain well knew, that being in the pride and heat of youth, he would consider Teague's advances to his sister as an insult on the family, and chastise him accordingly, With this view, counterfeiting every possible disposition to serve the bog-trotter, the Captain recommended to him to make a confident of the brother, and endeavour to gain his interest with the sister.

Accordingly, one morning when the officer was in his chamber, Teague made his approach; and

composing his woe-begone countenance as well as he could, and explaining the cause of it, solicited his interest with the lady.

There was a whip in a corner of the room, with which the lieutenant had been riding; seizing this hastily, he made an attack upon the person of the lover, in a manner far beyond what was decent or moderate. The valet retreating with considerable outcries, made complaint to the Captain; who gave him to understand, that as this outrage was committed by his intended brother-in-law, it must be considered in the nature of a family quarrel, and he could not interfere.

The advances of Teague became the subject of conversation in the family, and of much mirth and laughter. The young man who had been in the state of melancholy before described, and had been cheered a little, was now in a great degree cured by the imitation of the valet. For ridicule is more a cure for love than reason. It is better to make the patient laugh than think.

Having now a disposition to pursue his travels, the Captain sent for his horse, and set out.

CHAPTER X.

CONTAINING OBSERVATIONS.

THE observations which we make when the narration of the fact is ended, are something like the sentiments delivered in the chorus in the ancient plays, a kind of moral on what was said; or like the moral as it is called to a fable. In this view therefore, we shall endeavour to say something.

The young man that we have seen so deeply in love, was of a handsome personal appearance, and of an eye and physiognomy that indicated sensibility and understanding; and yet it is probable the female of whom he was so much enamoured, may have been both homely, and destitute of good mental qualities. Whence could a repulse in this case happen. From a thousand causes. We will specify some of them. The very circumstance of his being beyond her first hopes, may have put him beyond her last wishes.... A female wooed by a man her superior, may be led to think she has still a chance for better; and that there must be diamonds in her hair, or some hidden advantage on her part, of which she was herself ignorant; otherwise such advances would not be made to her; or she may apprehend some defect on the

part of the lover, of which he is conscious; otherwise, he would not stoop beneath his natural expectations.

It is possible the Amanda may not have been of the same class and quality with himself. This would of itself account for the repulse. Should the eagle come from the firmament, and make his advances to the pheasant, he would find himself unsuccessful; for the brown bird would prefer a lover of her own species; or, should the rein-deer, which is a most beautiful creature, woo a frog, the croaking animal would recede into the marsh, and solace itself with a paramour of its own chusing. When, therefore, unexperienced young persons place their affections on an object and do not find a suitable return, they ought to save their pride, and make the inference, that they had descended from their element, and fastened on an animal unworthy of their notice.

These observations, in addition to those made by the Captain to the young man, may be of use to unfortunate lovers; and if so, it will be a recompence for the trouble we have given ourselves in making them.

CHAPTER XI.

IT was about an hour before sunset, that the Captain fell in company with one who had the Cincinnati eagle at his breast, and riding on together, put up at an inn.

The landlady and the servants, having never seen the badge before, were a good deal struck with the effigy of the eagle, and the ribbon at which it was pendant. Interrogating Teague, who had come in company, and whom they took to be a common servant to both, or at least acquainted with the affairs of either, what was the meaning of that bird, or what bird it was, that the gentleman had at his breast?.... Teague knew as little about it as they did; but unwilling to be thought ignorant, took upon him to inform them. It is, said he, a goose; and the maining is, that the shentleman would ate a goose, if your anouers would get one roasted this avening, for his anour to ate with the Captain, who is my master; for we have ate nothing all day long, and a roasted goose, with a shoulder of mutton, a pace of poark, and bafe and cabbage, and the like, would be a very good slake for a fasting stomach. So, God save your soul, dear honey, and make haste, and get a goose knocked down and put to the fire, to keep their anours from

starving, and to go to bed in a good humour, when they have drank a cup of ale or a mug of cyder after the goose; and, bless your soul, dear honey, let it be a good large fat goose, that there may be a rib or a wing left, that a poor sarvant may have something to ate, at the same time. The shentleman was very right to hold out a token, like the sign of a tavern-keeper, with a goose, or a pigeon, or a turkey, that paple may know what he wants, and not be after the trouble of asking whether he would chuse roast bafe and parates, or pork and parsnips, may it plase your anour.

The landlady was a good deal distressed, having no goose about the house. But sending out to her neighbours, she made shift to collect a couple of ducks, which Teague acknowledged would be a very good substitute. Supper being ordered, these were served up, with an apology from the landlady, that she had not been able to procure a goose; which she hoped the gentleman with the ribbon would excuse, as she was informed that a roasted goose was so much to his taste. A roasted goose to my taste! said the officer; what reason have you to think that a roasted goose is so much my choice? Surely madam you cannot mean wit, or to insinuate that I myself am a goose? for one animal preys not upon another; the maxim is, dog will not eat dog. I cannot therefore be a goose if I eat one.

Here the landlady explained her meaning, giving the information she had received from the servant.... The Captain was greatly irritated, and would have called him in and chastised him instantly had not the officer interfered; declaring that though it was an eagle, not a goose that he wore at his breast, yet he was not dissatisfied at the mistake, in as much as

it had brought a couple of good ducks to the table, a fowl of which he was particularly fond.

This incident, in itself laughable, led the officer to relate the trouble he had had with a clergyman who had made a worse mistake than this, taking the eagle for a graven image, contrary to the injunction of the decalogue which prohibits the making any such representation for the purpose of worship, as he alledged this to be. In answer to the clergyman, he had alledged the improbability that he who had been in the service so many years, at a distance from church, or church worship, except when a deistical chaplain came in the way, should think so much of religion, as to have any worship at all; much less to have become superstitious, and to wear an image at his bosom. The truth was, that he worshipped any god, true or false, very little; at least, said few or no prayers, on such occasions; and was very far from being an idolater, and paying adoration to a gold or silver image; that this was nothing more than a hieroglyphic, being the effigies of a bald eagle, which is a native of America, and designates the cause for which her soldiery had fought; in the same manner as the eagle was the standard of the Roman legion; or the lion and the unicorn are the arms of England, or the thistle that of Scotland; that the emblem of the American bald eagle had, on these principles, been chosen by the Cincinnati for their badge; of which society he was a member, and wore this device, not venerating it as the image of any bird or beast whatsoever.

The clergyman admitted that, in strictness, this symbol might not be a graven image, as the term would intend engraving on wood or metal, with the point of an instrument; and under this mental reservation, the wearer might save himself in saying that

it was not a graven image: but it was at least a molten one, which comes within the meaning of the prohibition; being the representation of a fowl, and doubtless for the purpose of idolatry. For what else could be the use or meaning of it. It was not a common broach, used as a ligament to the shirt or coat; and it was unworthy of a man to suppose it could be worn merely for ornament; boys and petit maitres delighting in these things, but no one else. It could not be any sort of time-piece, worn for the purpose of ascertaining distance. In fact, it was the portrait of a bird, the signal of some heathen deity; as the cock was sacred to Esculapius, the owl to Minerva, the peacock to Juno, and the dove to Venus. The eagle was sacred to Jupiter; and it was most probable, that it was in honour of this false god, that the image was worn.

It answered no end to reason with the ecclesiastic; for he grew but the more enraged, and insisted that it was an idol; shewing from some texts of scripture, that in the last times idolaters were to spring up; and that this society, which the Cincinnati instituted, might be the Gog and Magog spoken of in the Apocalypse.

Said the Captain, It was natural enough for the clergyman to make this deduction; as in maintaining the cause of truth against Pagans, he is led to dwell much on the subject of idolatry. But for my part, the principal objection that lies with me, against your institution, is that which lies against all partial institutions, whatsoever; they cut men from the common mass, and alienate their affections from the whole, concentring their attachments to a particular point and interest. A circumstance of this kind is unfavourable to general philanthropy, giving a temporary and artificial credit to those who are of the

body, amongst themselves; so that while some lend character, others borrow; and the individuals do not stand on the natural basis of their own merit. On this principle, I do not much approve of clubs and societies, unless in the case of some humane or charitable institution; or for the purpose of carrying on some beneficial work or improvement. I do not know that in your convening annually together, you have any object in view of this nature. I have not heard of any bridges you have built, or canals dug, or locks made for the purpose of facilitating navigation. I dot see of what use your institution is; unless it be, that your pronouncing an oration now and then, may be favourable to eloquence. But of this I much doubt, as such abstract discourses usually degenerate into common-place. The great object of an orator is, to persuade the judgment, or affect the passions. In this case, the judgment is already persuaded, affections already gained. Having therefore, no object, what exertion can the mind make?.. Be the cause what it may, certain it is that such compositions are seldom or ever found to be models of eloquence; more especially where the subject is of an extensive nature, as the revolution of America and the struggles of its heroes. For here so wide a canvass is spread, that it is difficult to fill it up; and to take a particular part would seem to be a derelection of the rest; for which dereliction no special reason could be given. You could not embrace all the characters who have risen or have fallen, or catch at particular names of the illustrious. Confining yourself, therefore, to general observations, you make no particular impression, and your orations become frigid to the hearers.

I have felt the truth of all this, said the Cincinnati gentleman, and the difficulty of composing an ora

tion to satisfy my own wishes. For being appointed by the society to pronounce one at our next meeting, to which I am now on my way, I have been trying my hand at it, and find it as you say, very difficult; but have attributed this, not to the nature of the composition; but to the inferiority of my powers. Not so, said the Captain; for in the hands of the greatest masters, this kind of composition labours. We do not find that even the oration of Isocrates, on the Lacedemonian war, which he was ten years in composing, has obtained such celebrity among the ancients, as such great labour would bespeak. I have read the panegyric of Trajan by Pliny; and find it but a cold composition. Plato's oration in honour of those who had fallen in the battles of Marathon and Platea, is the best of this kind that antiquity can produce, and doubtless has great excellence in the simplicity of the expression. The touches are delicate and fine, and I do not know but we may place it among the most beautiful productions. It amuses with magic wildness of fancy, at the same time, restrained and guided by an exquisite judgment. But it is rather a poem than an harangue. For though the composition is in prose, yet it breathes the soul of a bard, and is inchanting by the flow of the words, and the elevation of the images. In modern times, the best thing we have of this nature, is the panegyric of Cromwell, supposed to be written by the great Milton, but not delivered. The ingenuity discovered in the mode of praising him, deserves every possible commendation. But the greater part of addresses that I have seen to great men now-a-days, or orations on public occasions, are turgid, or jejune, and little worth our notice.

After this, said the Cincinnati gentleman, I shall hesitate to show you the essay I have made towards

a composition of this nature, as you appear to be so good a judge in this respect, and to know the deficiencies that may appear in any effort of this kind.

Nay, rather, said the Captain, you ought to be the more confident in so doing; for knowing the difficulty of the work, I shall be the more ready to excuse what comes short of perfection.

I shall then take the liberty, said the Cincinnati gentleman, to read you a few paragraphs. I shall be happy to hear it, said the Captain. The Cincinnati gentleman read as follows:

Compatriots.....I wish to say those things that never have been said, and that never will be said again. Because, in this case, there will be the characteristics of novelty and singularity; the two great constituents of pleasure, in all intellectual entertainments. But what can I say new? Has not the whole world resounded with the justness of the cause in which we have been engaged; with the greatness of the attempt to withstand the power of Britain? And have not we, ourselves, felt, seen, and known the great variety and changes of good or bad fortune?... What will it contribute to our immediate enjoyment to go over such scenes, unless the particular achievements of each officer can be enumerated, which decency forbids, and which indeed, cannot be done in the limits of one harangue. Leaving, therefore, ourselves and these scenes, wholly out of the question, let us speak a little of those whom we left behind. But why need we speak; for all time will speak of them. The bards that shall live, will draw hence their choicest allusions. Consider them, indeed, as more happy than you, because they ascended from among the group of their companions, who were at that time instant witnesses of their achievements. The warriors who fall in battle, are the most glori-

ous subjects of panegyric. Hector and Achilles, form the most splendid part of the song of Homer. and especially, because their bodies were interred in the presence of the two armies. Oh what a noble object! an army mourning a brave officer, and tears drawn even from the foe, struck with the sublime of his personal prowess and excellent knowledge of the military art. Much unlike, and far above those who languish with sickness on a bed in calm life, where relations standing round, wish the departure of the shade, and grasp at the property which he leaves behind. But the fame of a soldier none but himself can enjoy, there can be no heir or devisee of his property. It is his own, and it mounts with him. His blood only remains to bless the earth, from which flowers and roses spring, and clothe the woods and groves with enchantment and delight. For here the song of poesy is awakened, and at morn, and noon, and at still eve, their voices are heard who rehearse where the brave fell, and where they sleep. Sublime spirits! whether you inhabit the Pagan elysium or the Christian heaven. you are happy; and listen to those immortal lyres which are strung to the deeds of heroes.

So much for the exordium of the oration; it was all he had yet written. The evening passed away in hilarity; and the conversation turned again on the Cincinnati order; but particularly what may be called the arms of the institution, viz. Britannia represented as a fine woman, with her bosom bare, affrighted; and Cincinnatus, an accoutred knight, attacking her thus unarmed. as St. George did the dragon; the eagle, the bird of Jove, in the mean time grasping the lightning in his claws, an image that would seem unnatural: Whereas the eagle might be represented in the clouds near Jove, where the

lightning might be left to work its forked course, without the handing of the eagle; and in the other figure, Cincinnatus might raise his lance against the lion that supports the crown not against the goddess of the island.

From these strictures which the Captain, without pretending to be a connoisseur, made, the transition was easy to a criticism on the motto of the badge; viz. *Omnia reliquit, servare, rempublicam.* The infinitive is here used instead of the gerund, with the preposition, *ad servandam;* as if it was intended to express his motion or change of place, and not the object. But in fact, the motto does not at all express that in which the merit of Cincinnatus consisted. It was not in his leaving every thing to accept the commission of the Roman senate; but in resigning his commission, and, the work done, going to his plough again. His praise would have been expressed better by the phrase of, *Victor ad aratrum redit....* In fact, it cannot apply well to our army; most of our officers not having much to leave when they accepted their commissions; but discovered a Cincinnati-like disposition, in returning after war to the employments of civil life. It is true, there would have been less tinsel, and more bullion, in the patriotism of retiring without a badge, as Cincinnatus did: But it is a thing that can do little harm and it is pleasing to indulge a whim.

It may doubtless be said, that there were officers that left the plough, and fought, and returned to it, as well as those who are within the limitations of the institution, and entitled to a badge that, troops who had served a short inlistment, and militia persons, at least those who fought a little, were not wholly destitute of some claim to the badge of merit. Even those who lost property might be said to suffer, and

advance pretensions to the reward of honour. Not that all of them should claim gold medals, or even silver; but some brass, some copper, pewter, a bit of tin, or pot metal, just as the specific value of their services might entitle them. Perhaps while some wore it at the breast, others might be enjoined to wear it at the breeches pocket, and thus, as well by the point from which appendant, as by the bob itself, designate the proportion of their honour.

After this, some things were said on the subject of introducing honourary members; against which the Captain declared himself: That every thing ought to be preserved *sui generis;* as nature makes no honourary animals; but all are of the species, or take not the name: a bear is a real bear, a sheep is a sheep; and there is no commixture of name, where there is a difference of nature. But it did not appear to be of any great consequence, one way or the other. For the order would never come to any great head, as there was no opposition given. For this is necessary to keep alive attachment to what is arbitrary, and founded, not in utility, but caprice. For as the fire dies without air, so whim without contradiction.

The officer was a man of liberality and good sense, and acknowledged the truth of this. But the evening being now far spent, candles were called for, and they went to bed.

POSTSCRIPT.

THE preceding pages were written several years ago; during which time the Captain has continued his travels; and having been favoured with his journal, I have occasionally made extracts, and put them in the form of a continued history. Whether I shall publish any more, will depend on the reception of this.

I had first begun this work in verse, and have a volume by me, about two parts in three as large as Butler's Hudibrass; from which composition, I have extracted this; thinking it might be more acceptable in prose. When I visit this city next, I may produce that in verse, and let the people take their choice.

It is a happiness to a man to be able to amuse himself with writing. For it is not every one that can play upon the violin, or the flute; and the fingers must be employed some way. I may be blamed in not chusing some subject worthier of my studies, and requiring a profound research. It might profit the world more; but it would amuse myself less. *Omnis labor improbus;* all toil is grievious. However I have not been wholly inattentive to severer studies. I have several law tracts by me; for which I mean, in due time, to solicit a subscription. *Nonum prematur annum*, in every work of moment, ought to be observed.

There are some light things which I may in the mean time throw out; a comparison of Thucydides with Livy; thoughts on the Egyptian hieroglyphics; on the Carthagenian commerce; a comparison of the French and English eloquence; a supplement to Buffon, containing a description of several genera of animals, not taken notice of by him; hints for the improvement of the microscope; on the use of the Masoretic points; on the recent origin of the earth; on the criminal code of the Siamese, &c.

If the world will excuse these, I will give them my word for it, they shall be troubled little more; for except the examining my law tracts, I shall drop my pen, finding it, as I advance in life, more advisable to apply myself to making money. What things have been written, and are now lying by me, may occasionally see the light.

It is a good deal owing to my solitary residence in the western country, at a distance from books and literary conversation, that I have been led to write at all. It was necessary to fill up the interstices of business. If I should remain in that country, the same circumstances may lead me to write still. If I should remove to this city, or the seat of the federal government, I shall avoid the tedium by other means.

I wish the present book to sell for at least as much as will defray the expence of printing; for I have no inclination to lose by it. If I had a little time to stay in town, I could give it some celebrity by extracts, and remarks upon it; publishing for and against. For it is of no consequence how a book is made famous, provided that it is famous.

The truth is, as I have said, I value this book for little but the stile. This I have formed on the model of Xenophen, and Swift's Tale of a Tub, and Gulliver's Travels. It is simple, natural, various, and

forcible. I hope to see it made a school book; a kind of classic of the English language.

In looking over it, I find in the whole work, but one word I would alter; it is near the beginning; where I say *figure* on the stage, * instead of appear, or make a figure on the stage. I have carefully avoided the word *unfounded* instead of groundless, a word in vogue, among members of Congress especially. The word *commit*, is good, but being lately introduced, and too much hackneyed, I have not used it.

Language being the vestment of thought, it comes within the rules of other dress; so that as slovenliness, on the one hand, or foppery, on the other, is to be avoided in our attire; so also in our speech, and writing. Simplicity in the one and the other, is the greatest beauty.

We do not know at what time the Greek language began to be written as it was by Hesiod or Homer. But we find it to have continued with little or no change, from that time to the latest writers among the Byzantine historians, a period of more than 3000 years. The Roman language is considered as improving from the time of Ennius to the Augustine age. The language of the orators, poets, and historians of that time is the standard. It was not so much in the use of particular words, as an affectation in the thought, that Senaca is censured as corrupting the language of the Romans. But Tacitus, after him, writes in a pure stile; and I have found but one conceit in expression, in his whole history: meaning to give the geography of a country of a certain tribe of the Germans; they are, says he, separated from the Sequani by mount Jura, from the —— by the lake ——, from the —— by the river ——,

* *It is altered in this edition.*

and from the Atabani by *mutual fear*. I do not find so much fault with the stile of Pliny, as the heaviness of his thoughts and expressions. However, the Latin stile of writing retained its propriety and other excellencies tolerably well, till the monks got possession of it, and brought it down to a jargon that is now exploded; and we recur to the pure originals of Horace, Virgil, Cicero, and Sallust.

The French language is corrupting fast; and not in the use of words, but in the affectation of surprise, in the structure of the sentence, or the turn of the expression. Mirabeau was free from this; but not the Abbe Raynal. To give an example: meaning to say, which he might have done in a simple manner, that about this time the English cast their eyes upon Goa, as a place where, &c. stating the advantages of such a port; he begins by telling you, that the English had occasion for such a port, which &c. enumerating the advantages; and after this, with surprize comes upon you, and tells you, they wanted Goa. Enfin, says he; that is, in fine they wanted Goa.

The English language is undoubtedly written better in America than in England, especially since the time of that literary dunce, Samuel Johnson, who was totally destitute of taste for the *vrai naturelle*, or simplicity of nature.

The language of the Scots writers is chaste, but the structure of the sentence of the academic Dr. Robertson, offends in this particular; his uniformity of period striking the ear with the same pulse, as the couplets of our rhyme in Dryden and Pope. Hume is superior to him in this respect, writing as naturally as a man speaks; his stile rising and falling with the subject, as the movements of the mind themselves.

I am quite out of patience with this Postscript. I have written it hastily, the Printer informing me that he had a few pages of the last sheet to fill, which must be left a blank unless I had something more; but as I am in a hurry about some small matters, and have no disposition to write, I believe I shall conclude, and let him leave the remainder blank, or put in a paragraph of his own, if he chuses it.

It just me strikes to add, that I am this moment come from being admitted a Counsellor in the supreme court of the United States; having written the preceding part of this postscript just before the court sat.

In consequence of my admission in this honourable court, I feel myself inspired with a consciousness of new dignity, and am determined to relinquish the indulgence of all these light amusements, and apply myself for the future to fathom the profound depths of the legal oceans and rivers.

Vale,

Valete,

Camenæ.

BOOK III.

CHAPTER I.

RISING early next morning, the Captain proceeded with his man Teague, on his journey, and having breakfasted at an inn, where nothing material happened, we shall pass it over, and come as far down in the day as eleven o'clock; though, by the bye, it might have been more correct to have said up in the day, because the sun rises until twelve o'clock, and then descends: But waving this nicety, we shall go on to relate what actually took place. A man was seen before them, driving, leisurely, a horse with two kegs upon his back. The Captain took him for what is called a pack-horse man, that was carrying salt or sugar to some place of market. A man of a philosophic turn of mind never hesitates to enter into conversation with any character; because human nature is the field whence he gathers thoughts and expressions. The Captain therefore accosting this man, said, Is it salt or molasses you

have in your kegs, countryman? You are going home from some warehouse, I suppose, where you have been dealing; or going to set up a small shop of your own, and vend goods. No, said the man, with a Scotch-Irish pronunciation, there is an election this day a little way before us, and I am setting up for the legislature, and have these two kegs of whisky to give a dram to the voters. The Captain was thrown into a reverie of thought and began to reflect with himself on the nature of a republican government, where canvassing by such means as this, can work so great an evil as to elevate the most unqualified persons to the highest stations. But, in the mean time, roused a little from his thought, he had presence of mind to recollect the danger in which he was about to be involved afresh with his man Teague; whom, now looking round, he saw to be about forty yards behind him. It would have been adviseable to have diverted him from the road, and taken a circuitous rout, to avoid the election ground. But as the devil, or some worse being, would have it, it was a lane in which they were, with a fence on each side; so that he could not divert without leaping like a fox-hunter, or one of your light-horse men, to which the sober nag on which he rode was not competent. Besides, if Teague did not leap after him he would be left exposed in the lane to the populace, who might solicit him to be their representative. To turn directly back would appear indecorous, and unless he could urge Teague on before him, which was not customary, and to which he might not all at once submit, his station would of course be in the rear, where he might be picked up as a straggler, and sent to some public body.

In this quandary of thought, looking up, he saw the breakers just a-head; that is, the people met for

front, was a frame building, respectable in appearance, from the height, and dimensions, but ancient. There was a considerable extent of clear ground around it, and an orchard hard by, with at least five hundred apple-trees.

Having lodged chiefly at inns since his first setting out, the Captain had the curiosity to diversify his travels, by lodging at a private house this evening. Accordingly riding up to the door, and calling out, Halloa, which is the note of interrogation which is used when a man wishes the master or mistress of a family, or some one of the servants to come forth, to know what he wants.

It happened that the mistress herself came to the door, and seeing a good-looking man, in a green old age, sitting on horse-back, with his servant ready to take care of his steed should he think proper to dismount, she made a low curtsey, as much as to say, Sir, I should be happy to know, in what manner I can serve you.

Madam, said the Captain, to tell you the truth, the night is drawiug on, and I have been reflecting with myself, whether it were better to lodge in the woods, or take a house. All things considered, I have thought it most adviseable to take a house, and the only question that now remains is, whether I can get one.

The lady smiling with much complacency, and inclining her head forward, and her middle back, replied, I should be happy, Sir, if this small mansion could afford you an accommodation worthy of your suite. Madam, said the Captain, I shall be happy if the guest can be worthy of the accommodation.

Alight, Sir, said the lady, we shall be happy to receive you. Having alighted, he was introduced to a very decent apartment, where the lady seating her-

self in a large cushioned chair, and pulling out her box, took a pinch of snuff, and laid the box upon the cushion. She was a good-looking woman, being about fifty-seven years of age, with grey hairs, but a green fillet on her left eye-brow, as it seems the eye on that side was subject to a defluxion of rheum, which made it expedient to cover it. It could not be said that her teeth were bad, because she had none. If she wanted the rose on her cheek, she had it on her nose, so that it all came to the same thing. Nothing could be said against her chin, but it used her mouth ill in getting above it. She could not be said to be very tall, but what she wanted in height, she made up in breadth; so that multiplying one dimension by the other, she might be considered as a sizeable woman. After conversing a little while, the lady withdrew, to give directions in the kitchen what to provide for supper.

The Captain in the mean time taking up a pipe, which he saw on the mantle-piece, amused himself with a whiff.

The old lady in the mean time was in the kitchen, and the first thing she observed was Teague, reclining in an angle of the chimney fast asleep. Presuming that he had been inattentive to his master's horse which had been sent to the stable, she desired a servant to give him a jog, and wake him. Teague, awaking, saw the old lady, and addressed her. Dear madam, what a great happiness it is for poor sharvants to have gentle folks about them? God bless your anour's ladyship; you are just for all the world like my cousin Shala Shagney, the handsomest woman in all Ireland, and was married to Shan Crossan, who had a great estate, and a flock of shape into the bargain. She used to say to me when I was aslape,

Teague are you awake; and when I was awake, Teague are you aslape, dear honey.

There is something in an Irishman which has an admirable effect upon the fair; whether it is owing to that love-creating lustiness of person and freshness of complexion which they usually possess; or the delicacy and quantum of the flattery of which they are not niggardly; nor need they be so, no persons having a greater stock to come and go upon.

For so it was, that the language of the bog-trotter had gained the good will of this same Hecuba, and she ordered him a tankard of metheglim, to make himself merry with the servants.

Returning to the parlour she continued her conversation with the Captain; but her mind running upon Teague she could not avoid introducing his name, with a view to learn some particulars of his history. This is a civil young man, said she, that came with you, and of a conversation above ordinary persons. The captain being an observer of the passions of the mind, as they express themselves in the eye and aspect, saw that Teague had made some impression on the affections of this goodly old maiden gentlewoman: Nor was he displeased with it; for his first alarm was, that she would have fastened on himself; but her passion taking this course, would be less troublesome. Framing his answers therefore to her questions, with a view to favour what had so fortunately commenced, he gave her to understand, that, though in the disguise of a servant, Teague was no inconsiderable personage; that he had been a member of Congress one or two years; though, by the bye, this was stretching the matter a little, as he had only had it in his power to be one. But if it is allowable to strain a point at all, it is in the recommendation of one who stands well enough already;

for not being taken on the recommendation, there is no deception; and it is but civility to make one more pleased with their choice, than they already are.

The Captain said nothing of his having preached, or being about to preach; for the idea of sermons, and catechisms, impressing the mind with religious awe, is unfavourable to love. As to his being a member of the philosophical society, it could be neither here nor there with a lady, and therefore he was silent with respect to this also.

Supper being brought in, they sat down; but little conversation passed; the mind of the enamorata being more in the kitchen than in the parlour. After supper, the Captain sitting sometime, and seeming drowsy, was asked by his hostess, if he chose to go to bed: Answering in the affirmative, a servant waited with a candle; and bidding her good night, he was lighted to his chamber.

No sooner had he withdrawn, but the old lady sent her compliments to Teague, to take a seat in the parlour; where sitting down to a roasted duck, just brought in, a few slices of gammon on a plate, a piece of veal, and a couple of roasted potatoes, he was desired to partake: the old lady casting amourous looks at him, in the mean time. I say looks; for though she had but one eye to look with, yet looking often, she might be said to cast looks. It was a new thing to the Irishman to be at a table with a servant at his back; and he began now to think that fortune meant to do him justice: and with an ease, and self-possession, which some would call effrontery, he did the honours of the table; helping himself, and talking as fast as consisted with his disposition to satisfy his appetite. May it please your ladyship, said he, I am a poor sharvant now, but I have seen the time, when I have ate at as good

a table as the Captain my master, though he rides upon a horse and I trot on foot. My uncle, by the mother's side, Shan O'Gan, had a deer-park, and kept race-horses, to go to de fair, and the city of Cork: and my father's brother, Phelim O'Regan, was a justice of pace, and hung paple for staleing shape. I might have been a member of parliament, if I had staid at home and went to school; but sending a challenge, and fighting wid my own dear cousin Denis O'Conelly, I had to fly de kingdom, and brought noting wid me but my brogs, and ten guineas in my purse; and am now noting but a poor sharvant, unless your ladyship would take pity upon me, and marry me; for I am wary of this way of tratting after a crazy Captain, that has no sense to curry his own harse; and I have to fight duels for him, and keep him from being knocked down like a brute baste; for dis very day, when he had a quarrel wid a hastler, and was trown upon his back, I lifted him up, and said, Dear honey, are you dead? took de hastler by de troat, and choaked him, and he could not spake, but said, Dear shentlemen, spare my life! so dat if your ladyship will take me to yourself, I will stay wid you, and take care of de harses, and cows, and de shape, and plant parates, and slape wid you, and ask not a farthing, but your own sweat self into de bargain! for you are de beauty of de world! and fastin, or slaping, I could take you to my arms, dear crature, and be happy wid you.

The lady was by this time entirely won, and gave him to understand, that in the morning, after consulting a friend or two, the marriage might be celebrated.

I give only a sketch of the courtship that took place, for a great deal was said: and it was near midnight before the lovers could prevail upon them-

selves to part: when Teague was lighted to his bed, and had as good as that in which the Captain slept, which was a new thing to him, being accustomed to pig in with hostlers and servants, at the places where they lodged.

The Captain was up early in the morning, and astonished not to find Teague stirring, but enquiring of the servants where Teague slept, he was shewn up a pair of stairs, which he ascended, thinking he had one or two more to ascend before he reached the garret. But what was his astonishment, when he was shewn into a room on the second floor, where he found Teague snoring on a feather bed with curtains. Waking him, Teague, said he, this goes beyond all your former impudence: to crawl up out of the kitchen, and get into a feather bed. Please your anour, said Teague, to ring a bell, and call up a sharvant, to bring boots and slippers; for I am to be married dis marning.

The Captain was thunder-struck; and comprehending the whole of what had taken place, saw his *faux pas* in recommending him to the hostess; and now it only remained, to cure the blunder he had made, if it was at all curable.

We are short sighted mortals; and while we stop one leak, the water rushes in at another. The very means that we use to save ourselves from one evil, leads us to a worse. The Captain had need on this occasion of all his address. Composing himself, he dissembled, and spoke as follows:

Teague, said he, will you that are a young man, and have great prospects before you, consign yourself to the arms of an old woman. Her breath will kill you in the course of a fortnight. The fact is, she is a witch, and inchantress; she made the same proposition to me last night, of marrying me; but I

declined it. The world is full of these sort of cattle. There was one Shagnesa Circe, in old times, that used to gather all she could in her net, and transform them into hogs. Sir Teague Ulysses was the only one that had the sense to keep clear of her music, and avoid her. Did you see that drove of hogs before the door, when we rode up last evening.... They are nothing more than stragglers which she has transformed into swine. I did not sleep a wink last night, thinking of the danger to which you were exposed, and indeed I expected nothing less, than to find you this morning a barrow, fattened up for a feast, a day or two hence. Did you think such an old haridan as this can have any natural concupiscence for a man; or if she has, it is for a few days only, until she can make him fit for slaughter..... Then by throwing a little water on him, or by the bare blowing of her breath, she makes a beef-cow, or hog-meat of him, and he finds the knife at his throat, and scalding water taking off his bristles, and his guts out, and is into the pickling-tub before he knows what he is about. Do you think, Teague, that I have read books for nothing? Have you not seen me in my study morning and night, looking over Greek, and Hebrew letters, like partridge-tracks? All this to find out what was going on up and down the world. Many a history of witches and conjurers, I have read, and know them when I see them, just as I would my own sheep, when I am at home. Better indeed, for unless my sheep are marked, I could not know them; but marked or not marked, I know witches; and if I am not mistaken, this is the greatest witch that ever run. She was all night in my room, in the shape of a cat. It is God's mercy, that she had not changed herself into an alligator, and eat you up before the morning. When I came into the

room I expected to find nothing else but bones, and particles of hair the remnant of her repast; but it seems she has thought you not fat enough, and has given you a day or two to run, to improve your flesh, and take the salt better. The worst thing, after transformation, is the having you cut, in order to make you fatter and better pork, which is generally done the first day; and castration is a painful operation, besides the loss of the part. I have had several of my acquaintances treated in this manner, falling in with old women whom they took for fortunes; but were in reality witches, and had dealings with the devil.

Teague by this time was out of bed, and had dressed himself in his overalls and short coat, and was ready for a march. Indeed he wished to escape as soon as possible; and descending the stairs, going to the stable, and sad dling the horse, they both set out, without taking leave. It was in this manner Eneas quitted Dido, and got a ship-board, before she was awake; and the only difference was, that Teague had left no little Iulus in the hall, to put her in mind of the father.

TRAVELLING along, the Captain could not but observe to Teague, the injudicious choice he was about to make, even had the woman not been a necromancer. For the man who surrenders himself to the arms of a superannuated female, for the sake of fortune, acts a part not less unworthy and disgraceful, than the prostitute who does the same for

half-a-crown. While a man has the use of his limbs and arms, he ought to be above such mercenary motives; and true happiness can be found only in congruity, and what is natural. Teague seemed still to have some hankering after the ducks, and the feather bed, but as they proceeded, they recollection became more faint, for distance and time, is the cure of all passions.

CHAPTER V.

PROCEEDING four or five miles, they breakfasted; and afterwards, going on a mile or two further, they came to a church where a number of people were convened, to hear the decision of an ecclesiastical consistory, met there on an affair which came before them. It was this: Two men appeared, the one of a grave aspect, with a black coat; the other without the same clerical colour of garb; but with papers in his pocket which announced his authority to preach, and officiate as a clergyman. The man with the black coat, averred, that coming over together, in a vessel from Ireland, they had been messmates; and while he was asleep one night, being drowsy after prayers, the other had stolen his credentials from his pocket. The man in possession of the papers, averred they were his own, and that the other had taken his coat, and by advantage of the cloth, thought to pass for what he was not.

The consistory found it difficult, without the aid of inspiration, to decide; and that faculty having now ceased, there were no other means, that they could discover, to bring the truth to light.

The Captain being informed of this perplexity, could not avoid stepping up, and addressing them as

follows: Gentlemen, said he, there is a text in your own scripture, which I think might enable you to decide: It is this, "*by their fruits ye shall know them.*" Let the two men preach; and the best sermon take the purse; or laying aside the figure, let him that expounds the scripture best, be adjudged the clergyman.

The proposition seemed reasonable, and was adopted; the competitors being desired to withdraw a little, and conn over their notes, that they might be ready to deliver a discourse respectively.

The Captain observing the countenance of him in possession of the papers, was sensible, from his paleness, and dejection of aspect, that he was the impostor. Going out therefore shortly after, and falling in with him, as he walked in a melancholy mood, at a little distance from the church, said he to him, I perceive how it is, that the other is the preacher; nevertheless I would wish to assist you, and as I have been the means of bringing you into this predicament, I should be disposed to bring you out.... Let me know how the case really stands.

The other candidly acknowledged, that having been a yarn merchant in Ireland, his capital had failed, and he had thought proper to embark for this country; and coming over with this clergyman, he had purloined his papers; and would have taken his coat, had it not been too little for him; a thing which never struck the ecclesiastical tribunal. But the matter being now reduced to an actual experiment of talents, he was at a loss; for he had never preached a sermon in his life. It was true, he had heard sermons and lectures in abundance; and had he been suffered to go on and preach at his leisure amongst the country people first, he might have done well enough; but to make his first essay in the presence

of a learned body of the clergy, would hazard a detection; but now he saw his oversight in not having taken the notes of the other, at the same time he took the vouchers of his mission.

The Captain encouraged him, by observing, that there were few bodies, ecclesiastical or civil, in which there were more than one or two men of sense; that the majority of this consistory, might be as easily imposed upon, as the lay people; that a good deal would depend on the text that he took; some were easily preached upon; others more difficult. An historical passage about Nimrod, or Nebuchadnezzar, or Sihon, king of the Amorites, or Og, king of Bashan; out of Genesis, or Deuteronomy, or the book of Judges, or Kings, would do very well; but that he should avoid carefully the book of Job, and the Psalms of David, and the Proverbs of Solomon; these requiring a considerable theological knowledge; or, at least, moral discussion and reflection. Keep a good heart, said he, and attempt the matter. The issue may be better than you apprehend.

With this, taking him a little further to the one side, where his horse was tied, he took out a bottle from his saddle-bags, with a little whisky in it, which Teague had put there, and gave him a dram. This had a good effect, and raised his spirits, and he seemed now ready to enter the lists with his antagonist.

The other, in the mean time, had gone in, and was ready, when called upon, to hold forth. The man with the papers returning, with the Captain not far behind, took his seat. The board signified, that one or other might ascend the pulpit. The credential man, wishing to gain time, to think farther what he was about to say, but affecting politeness, yielded precedence to the other, and desired him to preach first. Accordingly stepping up, he took his text and began.

the purpose of electing, and that it was now impossible to avoid them. Depending, therefore, on his own address, to make the best of circumstances, he suffered himself to be carried along towards them, keeping, in the mean time, an eye upon Teague, who was the cause of his concern.

Meeting accidentally with a Scotch gentleman on the ground, whom he knew, he communicated to him the delicacy of his situation, and the apprehensions he had on the part of Teague. Said the Scotch gentleman Ye need na gie yoursel any trouble on that head, man; for I sal warrant the man wi the twa kegs will carry the election: there is na resisting guid liquor; it has an unco effec on the judgment in the choice of a representative. The man that has a distillery or twa in our country, canna want suffrages. He has his votaries about him like ane o' the Heathen gods, and because the fluid exhilerates the brain, they might think he maun be a deity that makes it; and they fa' down, especially when they have drank ower muckle, and worship him, just as at the shrine of Apollo or Bacchus, among the ancients.

The candidate that opposed the man of the two kegs, was a person of gravity and years, and said to be of good sense and experience. The judgment of the people was in his favour, but their appetite leaned against him.

There is a story of one Manlius, a Roman, who had saved the capitol from the Gauls, by putting his breast to the ramparts, and throwing them down as they ascended. When this man afterwards, elated with the honours paid him, forgot the duties of a citizen, wishing to subvert the republic, by usurping power; the people, jealous of liberty, were incensed; and being convicted of the crime, he was

dragged to punishment. It was not the way, at that time, to hang, as you would a dog; or beheaded, as you would a wild beast: but to throw from a high rock, which they called the Tarpeian. The capitol was just in view, and while they were dragging him along to the place, he would stretch his hand towards it; as much as to say, There O Romans, I saved you: The populace at this would stop a while, irresolute whether to desist or drag him on. While they recollected his offence, they marched a step; but when they cast their eye on the capitol, they stood still; and not until some principal men directed the rout out of the view of the capitol, could he be brought to justice.

So it was with the multitude convened on this occasion, between the man with the two kegs and the grave-loo'ing person. When they looked on the one, they felt an inclination to promote him. But when again on the other hand, they saw two kegs which they knew to be replenished with a very cheering liquor, they seemed to be inclined in favour of the other.

But appetite prevailed, and they gave their votes in favour of the man with the two kegs.

Teague in the mean time thinking he had another chance of being a great man, had been busy, but to no purpose; for the people gave their votes to the man of the two kegs. The Captain thought himself fortunate to be thus relieved, and proceeded on his journey.

CHAPTER II.

CONTAINING OBSERVATIONS.

THE perplexity of the Captain, in the late transaction on account of his servant, may serve to put those in mind who travel with a waiter, not to go much about at the election seasons, but avoid them as you would the equinoxes. It might not be amiss, if, for this reason the times of electing members for the several bodies were put down in the almanac, that a man might be safe in his excursions, and not have an understrapper picked up when he could not well spare him.

I mean this as no burlesque on the present generation; for mankind in all ages have had the same propensity to magnify what was small, and elevate the low. We do not find that the Egyptians, though there were lions in the kingdom of Lybia, not far distant, ever made a god of one of them. They rather chose the cow kind, the stork, and the crocodile, or the musk-rat, or mire-snipe, or other inferior animal, for an object of deification. The Romans, and the Greeks also, often worshipped small matters. Indeed we do not find amongst any nation, that the elephant, or rhinoceros, or elk, or unicorn, have been made tutelar divinities. As,

Cannons shoot the higher pitches,
The lower you put down their breeches.

The smaller the objects we take up, and make them great, the act is greater; for it requires an equal art in the formation of the glass to magnify, as to diminish, and if the object is not of itself small, there is no magnifying. Caligula is celebrated for making his horse a senator. It would have been nothing to have made a Roman knight one; but to endow a mere quadruped with the qualities of a legislator, bespeaks great strength of parts and judgment.

CHAPTER III.

IT was about three o'clock in the afternoon that the Captain came to an inn, where unhorseing and unsaddling, Teague took the steed, and the master went to sleep on a sopha in the passage. Unless it is in a very deep sleep, the mind is in some degree awake, and has what are called dreams. These are frequently composed of a recollection of late events. Sometimes the mind recovers incidents long since past, and makes comments, but most usually, out of mere indolence, takes up with what is next at hand. It happened so on this occasion; for the Captain thought himself still in conversation with the Scotchman on the subject of the late election. It seemed to him that he said, Mr. M'Donald, for that was the name of the Scotch gentleman, you do not seem to have a high opinion of our republican form of government, when the most contemptible can obtain the people's suffrages.

The Scotchman seemed to answer in his own dialect, saying, Ye are much mistaken man, if ye draw that conclusion. I think there is a worse chance for merit to come forth where appointments are in the hand of one, than when with many; for it is much easier to scratch the rump of one, than to tickle

the hurdies o' a thousand. Ye see our executive dinna do much better in their appointments to judicial and ministerial offices, than the rabble folk themselves to the legislative. It all comes to the same thing in every government; the wind blaws, and the feathers and the fern get uppermost.

At this instant he was awakened by a bustle out of doors. The fact was; a disagreement had taken place between Teague and the hostler at the inn, about their skill respectively in rubbing down and currying horses. Teague had made use of a single grab of hay, which he held with both hands, and impressed the horse, rubbing him from side to side, and up and down with all his might. The other with a wisp in each hand, rubbed; the right hand passing to the left, while the left hand passed to the right, in a traverse or diagonal direction. The hostler valued himself on having been groom, as he pretended, to a nobleman in England, and therefore must be supposed to understand the true art of currying. Teague maintained his opinion, and way of working with a good deal of obstinacy, until at last it came to blows. The first stroke was given by Teague, who hit the hostler on the left haunch with his foot, when he was stooping down to shew Teague how to rub the fetlock. The hostler recovering, and seizing Teague by the breast, pushed him back with a retrograde motion, until he was brought up by a cheek of the stable door. Resting against this, Teague made a sally, and impelled his antagonist several yards back, who finding at length behind him the support of a standing trough, which the carriers used for a manger to feed their horses, recovered his position, and elanced Teague some distance from the place of projection. But Teague still keeping hold of the collar of his adversary, had

brought him along with him, and both were now on the ground struggling for victory. But Teague turning on his belly, and drawing up his knees, was making an effort to raise himself to his feet. The other in the mean time, partly by the same means, and partly by retaining hold of the Irishman, was in the attitude of rising with him. They were now both up, locked fast in the grasp of each other, their heads inclining in conjunction, but their feet apart, like muskets stacked after a review, or like the arch of a bridge. The head of each supported by the abutment of the feet. Few blows were given, and therefore not much damage done. But the persons present calling out fair play, and making a bustle in the porch of the inn, had awakened the Captain, and brought him to the door, who seeing what was going on, took upon him to command the peace; and the people supposing him to be a magistrate, assisted to part the combatants; when the Captain ordering both of them before him, made enquiry into the cause of the dispute. Teague gave his account of the matter; adding, that, if he had had a shallelah, he would have been after making him know that the paple in dis country, could curry a horse, or a cow, or a shape, as well as any Englishman in de world, though he have been hastler to a great lord, or de king himself, at his own stable where he has his harse.

Teague, said the Captain, this may be true; but it was unbecoming a philosopher to attempt to establish this by blows. Force proves nothing but the quantum of the force. Reason is the only argument that belongs to man. You have been the aggressor, and therefore in the power of the law. But as to you, Mr. Hostler, you have given provocation.

I have had this lad with me several years, and I say that he curries and rubs down a horse well. It is no uncommon thing for men of your country, to undervalue other nations. You naturally associate your own attainments with the bulk and populousness of large cities: But can the looking at a large building or a tall spire, add an inch to your stature? Because Fox is eloquent, is every one that hears him so too? Is not human ingenuity the same here as on the other side the water? Our generals have fought as well, in the late war, as any Clinton, or Cornwallis that you have. Our politicians have wrote, and our patriots have spoke as well as your Burkes, or your Sheridans, or any other; and yet when you come here, there is no bearing the airs of superiority you take upon yourselves. I wonder if the wasps that are in your London garrets consider themselves better than the wasps that are in these woods? I should suppose it must be so; such is the contemptible vanity of an island, which, taken in its whole extent, would be little more than a urinal to one of our Patagonians in South America. This the Captain said to mortify the hostler; though, by the bye, there is a good deal of truth in the observation, that the people of an old country undervalue the new; and when they think of themselves, conjoin the adventitious circumstances of all that exists where they have lived. I have found a prejudice of this nature even with the wisest men. What wonder, therefore, that a poor illiterate hostler should be subject to it? But if he did undervalue an American born, yet he ought to have considered that Teague, though not born in Britain, was born near it, and therefore might considerably approach the same skill in any handy-craft work.

In natural history, we do not value animals on account of the place from whence they are taken, but on account of what they are themselves; and in things that are made by hands, not by the manufacturer, but by the quality. We prefer the trout of the rivulet to the mullet of the river; and we judge of the pudding not by the maker but the eating. There is a proverb that establishes this; for proverbs are the deductions of experience, and to which we assent as soon as expressed; containing in them an obvious truth, which the simplest understand.

IT is not for the sake of any moral that I have related this scuffle that took place between the Irishman and the hostler; but for the sake of shewing in what manner incidents are to be related; that is, with great simplicity of stile, and minuteness of description. That part of Livy which contains the combat of the Horatii, and Curatii, is frequently given to the students at a college to translate, that by this means they may be taught to imitate the like delicacy in the choice of words, and particularity of the recital. The above may answer the same purpose. It is true there is not the like incidents in this combat, as in that described by Livy; nevertheless, the same art is therein discovered, as the sound critic will observe. I know it will be thought by any one who reads it, that he could use the very same words, and give the same liveliness of picture, were he to attempt it. Should he try it, he will find himself disappointed.....*Suder multum, frustraque laboret, ausus idem....*

It may be thought, that though stile is my object, yet I might now and then bring in a thought to en-

tertain the reader, and introduce some subject of moment, rather than the fisty-cuffs of two raggamuffins. I would just ask this question: Is not the talent of the artist shewn as much in painting a fly, as a waggon-wheel. If this were intended as a book of morals, or physiology, and not as a mere belle lettre composition, there might be something said; as the case is, critics must be silent.

CHAPTER IV.

I SHALL pass over the circumstances of the Captain's dining, and Teague, reconciled with the hostler, taking his mess in the kitchen; and go on to what befel afterwards, when having saddled the horse, they set out on their further perigrination.... Towards evening, when the shadows of the trees began to be long, the Captain bidding Teague trot along side addressed him in the following words:... Teague, said he, it is true I am none of your knight-errants, who used to ride about the world relieving fair damsels, and killing giants, and lying out in woods, and forests, without a house, or even tent-cloth over their heads, to protect them from the night air. Nevertheless, as in some respects my equipment, and sallying forth resembles a knight-errant, and you a squire, would it be amiss, just for a frolick, to lie out a night or two, that it might be said that we have done the like. There is no great danger of wolves or bears, for while there are sheep, or pigs to be got at, they will shun human flesh. It will make a good chapter in our journal, to describe you lying at the foot of an oak, and me, with my head upon my saddle, under another; the horse, in the mean time, feeding at a small distance. Teague

thought it would be an easier matter to write down the chapter in the journal, than lie under the trees to beget it. It is true said the Captain, navigators and travellers, make many a fiction; and those who have been in battle have killed many, that were killed by others, or have not been killed at all.... But it would ill become a limb of chivalry to deviate from the truth. It will be but about twelve hours service lying on our bac s and looking up to the stars, hearing the howling of wolves, and observing the great Bear in the heavens, the means by which the Chaldeans, the first astronomers, laid the foundation of the science. Fait, and I tink, said Teague, it would be better to be in a good house, with a shoulder of mutton to ate, before we go to slape, than to have our own shoulders tarn by the bears, or bruised by lying under great oa s. Of what use is this astranomy? did any of these astranamers ever shoot down a bear in the firmament, to get a joint of mate for a sic person; and what good comes of lying in de woods, to be ate up by the snakes; but fevers, and agues, and sore troats to get a long cough and die in a ditch li e a dead horse, and be nothing thought of, but be trown into ridicule like a black-head that has no sense. It is better to go to a house and get a bed to slape in, and warm shates about us, than be lying in the dew like a frag, croa ing the next day like one of dase and get no good by it.

The Captain had made the proposition merely to amuse himself with Tea,gue, and so did not insist upon it.

Riding one or two miles, the sun was setting, and a house appeared in view a little off the road A lane led up to it with a meadow on one side, and a pasture-field on the other. On this last there were cattle of cows, and sheep grazing. The house in

THE SERMON.

Prov. viii. 33. *Hear instruction and be wise, and refuse it not.*

INSISTING on these words, I shall enquire, 1. Whence it is that men are averse to instruction. 2. The misfortune of this disposition. *Lastly*, Conclude with inferences from the subject.

1. *Whence it is that men are adverse to instruction.* The first principle is *indolence*. The mind loves ease, and does not wish to be at the trouble of thinking. It is hard to collect ideas, and still harder to compose them; it is like rowing a boat: whereas, acting without thought, it is like sailing before the wind, and the tide in our favour.

The second principle is *pride*. It wounds the self-love of men, to suppose that they need instruction. We resent more the being called fools than knaves. No man will own himself weak and uninformed. In fact, he has not humility to think he is; or, if he should be conscious of a want of knowledge he is unwilling that others should have the same opinion; and he will not submit to be instructed, as that would imply that he is not already so.

The third principle is *passion*. When we are disposed to satisfy the desires of the constitution, or the affections of the mind, which are unlawful, we do not wish to hear dissuation from the indulgence. The lecture comes to torment before the time, when the consequence must afflict.

Under the *second* head, we shall shew *the misfortune of this disposition.* It is what, in early life, begins to fix the difference of persons. The hearer of instruction, even with more moderate parts, becomes the more sensible boy. The hearer of instruction has a better chance for life and mature years. Into how many dangers do young persons run; leaping, climbing, running, playing truant, and neglecting books? Into what affrays too will passions prompt them, when they begin to feel the sinew strong, and the manly nerve braced? They value corporeal strength, which they have in common with the horse, or the ox, and neglect the cultivation of the mind, which is the glory of our nature. What is a a man without information? In form only above a beast. What is a man negligent of moral duty? Worse than a beast; because he is destitute of that by which he might be governed, and of which his nature is capable; and without which, he is more dangerous, in proportion as he is more ingenious.

I shall conclude with *inferences* from the subject.

It may be seen hence, with what attention we ought to hear, and with what observation, see. The five senses are the avenues of knowledge; but the reflection of the mind on ideas presented, is the source of wisdom. Understanding is better than riches; for understanding leads to competency, and to know how to use it. Laying aside, therefore, all indolence, pride, and passion, let us hear instruction, and be wise, and refuse it not.

This, reverend brethren, is a short sermon. It is one in minature; like the model of a mechanical invention, which is complete in its parts, and from whence may be seen the powers of the inventor. I did not intend to take up your time with a long dis-

course; because, *ex pede Herculem*; you may know what I can do by this essay.

The fact is, I am regularly educated, and licensed; but this my competitor, is no more than a yarn merchant; who, failing in his trade, has adventured to this country: And coming over in the vessel with me, took the opportunity one night, when I was asleep, and picked my fob of these papers, which he now shews.

Thus having spoke, he descended.

The other, in the mean time, had been at his wits end what to do. The technical difficulty of taking a text, and dividing it under several heads, and spliting each head into branches, and pursuing each with such strictness, that the thoughts should be ranged under each which belonged to it, as exactly as you would the coarser yarn with the coarser, and the finer with the finer; or put balls with balls, and hanks with hanks. At last he had determined to take no text at all; as it was much better to take none, than to take one and not stick to it. Accordin ly, he resolved to preach up and down the scripture wherever he could get a word of seasonable doctrine. Mounting the pulpit, therefore, he began as follows:

SERMON.

THE first man that we read of was Adam, and first woman Eve; she was tempted by the serpent, and eat the forbidden fruit. After this she conceived and bare a son, and called his name Cain; and Cain was a tiller of the ground, and Abel a keeper of sheep; for she conceived and bare a second son, and called his name Abel. And Cain slew Abel. There were several generations unto the flood, when Noah built an ark, and saved himself and his family. After the flood, Abraham begat Isaac, and Isaac begat Jacob, and Jacob begat Joseph and his brethren. Potiphar's wife, in Egypt, took a fancy for Joseph, and cast him in a ward; and Potiphar was a captain of Pharaoh's guards; and Joseph interpreted Pharaoh's dream of the lean cattle; and there were twelve years famine in the land; and Moses passed for the son of Pharaoh's daughter, and married Jethro's daughter, in the land of Midian, and brought the Israelites out of the land of Egypt; and Joshua the son of Nun, and Caleb the son of Jephunneh; and the walls of Jericho fell down at the sound of ram's horns; and Sampson slew a thousand with the jaw-bone of an ass; and Delilah the harlot; and Gideon, and Barak, and Jephthah, and Abinoam the Giliaditish; and Samuel, and Saul, and the prophets; and Jonathan and David; and Solomon built him an house; and silver was as plenty as the street stones in Jerusalem; Rehoboam, and Jehosophat, and the kings of Israel and Juda; Daniel was cast into the lions' den; and Shadrach, Meshach, and

Abed-nego; and Isaiah and Jeremiah; and Zachariah, and Zerobabel; Matthew, Mark, Luke and John, and the apostles; Mary Magdalene, out of whom were cast seven devils; and the father of Zebedee's children; and Pontius Pilate, and the high priest; and Ananias and Saphira, and the seven trumpets in the Revelations, and the dragon, and the woman. Amen. I add no more.

The lay people present were most pleased with the last discourse; and some of the younger of the clergy: But the more aged, gave the preference to the first. Thus it seemed difficult to decide.

The Captain rising up, spoke: Gentlemen, said he, the men seem both to have considerable gifts, and I see no harm in letting them both preach. There is work enough for them in this new country; the first appears to me, to be more qualified for the city, as a very methodical preacher; but the last is the most practical; and each may answer a valuable purpose in their proper place.

The decision seemed judicious, and it was agreed that they should both preach. The man who had been the yarn merchant, thanked their reverences, and gave out that he would preach there that day week, God willing.

The clergy were so much pleased with the Captain, that they gave him an invitation to go home with them to an elder's house, just by; but recollecting the trouble he had with Teague on another occasion, and the danger of being drawn into a like predicament, should he fall into conversation with the clergyman and take it into his head to preach, he declined the invitation and hastened to get his horse, and having Teague alongside, proceeded on his journey.

CHAPTER VI.

THE ensuing day, the Captain arrived in a certain city, and put up at the sign of the Indian Queen. Taking a day or two to refresh himself, and get a new pair of breeches made, and his coat mended, which was a little worn at the elbows, he went to look about the city. The fourth day, when he had proposed to set out to perambulate this modern Babylon, and called for Teague to bring him his boots, there was no Teague there. The hostler being called, with whom he used to sleep, informed, that he had disappeared the day before. The Captain was alarmed: and, from the recollection of former incidents, began to enquire if there were any elections going on at that time. As it so happened, there was one that very day. Thinking it probable the bog-trotter, having still a hankering after an appointment, might offer himself on that occasion he set out to the place where the people were convened, to see if he could discover Teague amongst the candidates. He could see nothing of him; and though he made enquiry, he could hear no account. But the circumstance of the election drawing his attention for some time, he forgot Teague.

The candidates were all remarkably pot-bellied; and waddled in their gait. The Captain enquiring what were the pretensions of these men to be elected; he was told, that they had all stock in the funds, and lived in brick buildings; snd some of them entertained fifty people at a time, and eat and drank abundantly; and, living an easy life, and pampering their appetites, they had swollen to this size.

It is a strange thing, said the Captain, that in the country, in my route, they would elect no one but a weaver, or a whisky-distiller; and here none but fat swabs, that guzzle wine, and smoke segars. It was not so in Greece, where Phocion came with his plain coat, from his humble dwelling, and directed the counsels of the people; or in Rome, where Cincinnatus was made dictator from the plough. Something must be wrong, where the inflate, and pompous are the objects of choice. Though there is one good arising from it, that there is no danger of my Teague here. He could not afford to give a dinner; and as to funds, he has not a single shilling in them. They will make him neither mayor nor legislator in this city.

Na faith, said Mr. M'Donald, the Scotch gentleman who had been present at the embarrassment of the Captain, on the occasion of the former election, and having, a few days before, come to the city, and observing the Captain in the crowd, had come up to accost him, just as he was uttering these last words to himself: Na faith, said he, there is na danger of Teague here, unless he had his scores o' shares in the bank; and was in league with the brokers, and had a brick house at his hurdies, or a ship or twa on the stocks. A great deal used to be done, by employing advocates with the tradesmen, to listen to the news, and tell them fair stories; but all is now lost

in substantial interest, and the funds command every thing. Besides, this city is swarming with Teagues, and O'Re[illegible]ans, and O'Brians, and O'Murphys, and O'Farrels; I see, that they cannot be at a loss without your bog-trotter.

The Captain having his fears eased in this particular, returned home greatly troubled, nevertheless, that he could not come up with the Irishman.

CHAPTER VII.

REFLECTING with himself, that Teague was addicted to women, and that he might have gone to some of those houses, which are not in the best repute with the religious part of the community, the Captain thought it might not be amiss to make enquiry. Being informed by the waiter, that he had overheard gentlemen at the house, in their cups, speak of a certain Mrs. Robeson, who kept a house of that kind; and, as far as he could understand, it was in such a part of the city, a few doors from such a street.

The Captain having set out, coming into the neighbourhood, and making enquiry, was directed to the house. Knocking, and on a servant coming to the door, enquiring for Mrs. Robeson, he was shewn into a parlour, and in a little time the old lady entered. Being seated, he took the liberty of addressing her: Madam, said he, I am not unacquainted with the stile and designation of your house. Why as to that, said she, we do the best we can; but the times are hard, and it is a very difficult thing to pick up a good looking healthy girl, now a days. So many young women, since the war is over, having taken to virtuous ways, and got married, has almost

broke us up. But I have been fortunate enough to light upon one, yesterday, that is a rare piece, just from the country, and I am sure.....

It is not in the way that you mean, madam, said the Captain, that I take the liberty to call upon you. I have a servant man, of the name of Teague O'Regan, that is fond of women, and has been absent some days; and it has occurred to me, that he may have come to your house, or some other of the like kind; and may be skulking, to avoid my service. As he has little or no money, it is impossible he can be much in your way, and I could make it better worth your while to inform on him, and surrender him up.

Teague O'Regan, said the old lady! snuffing; Teague O'Regan! I would have you know, sir, that no Teague O'Regans come here; we keep a house for the first gentlemen, not for waiters or understrappers, or any of the common sorts. There is no half-crown or five shilling pieces here. Teague O'Regan indeed! there is no Teague O'Regan at this house. We have meat for his master. I was saying there was a young woman just now from the country, that looks more like a woman of family, than a country girl; but is so melancholy and mopish, that she scarcely speaks, and stands in need of some one to talk to her, and keep her in spirits. She is fit for any gentleman. Teague O'Regan! Humph There is no Teague O'Regan puts his foot into my door.

The Captain assured her, that he by no means meant to give offence. That though the bog-trotter could not have access to her first rooms; yet he did not know but he might have got in with some of her under maids, and be about the kitchen.

The lady, being now appeased on the score of Teague, was in a good humour, and renewed her hints to the Captain, with respect to the young woman. She is, said she, as good a looking girl as ever came to my house; and has not seen a single person but yourself, whom she has not yet seen; but may see, if you chuse; and a very pretty girl she is; but keeps mopish and melancholy, as if she was crossed in love, and had come to town for fear of her relations, and wishes to keep out of sight of every body.

The Captain being no stranger to the art these matrons use in their addresses, to enhance the value of their wares, was but little moved with the recommendation she had given. But as there were some circumstances in the account of the young woman, that were a little striking, his curiosity was excited to let her be called in, and present herself. Accordingly, the old lady stepping out, a young woman made her appearance, of considerable beauty; but in her countenance, expressions of woe. Her blue eye seemed involved in mist; for she shed no tears; her sorrow was beyond that.

Young woman, said the Captain, it is easy to perceive that you have not been in this way of life long; and that you have been brought to it, perhaps, by some uncommon circumstances. My humanity is interested; and it occurs to me to ask, by what means it has come to pass. The part which he seemed to take in her distress, inspiring her with confidence; and being requested by him to relate her story frankly, she began as follows:

My father, said she, lives at the distance of about twenty miles from this city, and is a man of good estate. I have two brothers, but no sisters. My

mother dying when I was at the age of fourteen, I became house-keeper for the family.

There was a young man that used to come to the same church to which we went. He was of the very lowest class, mean in his appearance, of homely features, and a diminutive person. Yet he had the assurance to put himself in my way on every occasion; endeavouring to catch my eye; for he did not dare to speak to me. But I hated him, and was almost resolved to stay at home on Sundays, to avoid him; for he began to be very troublesome. His attentions to me were taken notice of by my brothers. They were confident that I must give him some encouragement, or he would not make such advances. My father was of the same opinion. I assured them I had never given him any encouragement, and I never would; that I was as much averse to him as possible.

I shunned him and hated him. He persisted a long time, almost two years, and seemed to become melancholy, and at last went away from the neighbourhood; and, as I heard afterwards, to sea. I began now to reflect upon his assiduity, and endeavors to engage my affections. I recollected every circumstance of his conduct towards me, since the first time I was obliged to take notice of him. I reasoned with myself, that it was no fault of his, if his family was low; and if he himself had not all that comeliness of person which I wished in a husband; yet he was sufficiently punished in his presumption in thinking of me, by what he must have suffered, and by his going to sea, which he did to get out of my sight, finding his attempts to gain my affectons hopeless. I dreamed of him, and scarcely a moment of the day passed, but my thoughts were running on the danger to which he was exposed. It

seemed to me that if he came back, I should be more kind to him. I might at least shew him, that I was not insensible of his attachment.

In about a year he returned, and the moment I saw him, I loved him. He did not dare to come to my father's house. But I could not help giving him encouragement, by my countenance, when I met him in public. Emboldened by this, he at last ventured to speak to me, and I agreed that he might come to a peach orchard, at some distance from my father's house, and that I would give him an interview. There he came often, and with a most lowly and humble behaviour, fixed my regard for him. Not doubting the violence of his love for me, and my ascendency over him, I at last put myself in his power. Becoming pregnant, I hinted marriage, but what was my astonishment to find, that, on various pretences, he evaded it, and as I became more fond, he became more cold, which had no other effect, than to make me more ardent than before. It had been usual for many months, to meet me every evening at this place, but now I had gone often, and did not find him there. At last he withdrew altogether, and I heard he had left the settlement. Worthless and base, as I now knew him to be; and, though my reason told me, that in person he was still as homely as I first thought him, yet I continued to love him to distraction.

What was my distress, when my father, and my brothers, found that I was with child? They charged me, though unjustly, of having deceived them with respect to my attachment to this low creature, from the first: In fine, my father dismissed me from the house: My brothers, no less relenting than him, in their resentment against me, upbraided me with the offers I had refused, and the treatment I

had given several gentlemen, in their advances to me. For, indeed, during the absence of this worthless man, I had been addressed by several, but my pity and compassion for the wretch, had so wrought upon me, that I could not think of any, or scarcely bear them to speak to me.

Dismissed from my father's house, even my younger brother, who was most soft and yielding in his nature, seeming to approve of it, I went to the habitation of a tenant of my father; there remained some time, and endeavoured to make compensation, by the labour of my hands, for the trouble I was giving them. But these poor people, thinking my father would relent, had informed him where I was, and of the care they had taken of me. The consequence was, that, at the end of three months, he sent for the child, of which I had been brought to bed some weeks before, but ordered them instantly to dismiss me, that I might never more offend his hearing with my name.

I wandered to this city, and the first night lay in the market-house, upon a bench. The next morning mixed with the women that came to market, and enquired for work of any kind. I could find none; but at last meeting with a young woman who felt for my distress, she told me, that she had a small room in this city, where she had lived some time with an aunt that was lately dead, and that now she supported herself by doing a little in the millinery way; that if I would come and take breakfast with her, and see where she lived, I was welcome. Going with the poor girl, I found her lonely and distressed enough. Nevertheless I continued with her several months. But the work was small that we got to do, and times becoming still worse, I was obliged to sell the clothes that I brought with me, to

the last petticoat and short gown, to support ourselves and pay rent. To bring me to the last stage of misery, the poor girl, who was more expert than I was, in making any little provision that could be made, fell sick, and in a short time died. I could bear to stay no longer in the room, and coming out to wander in the streets, like a forlorn wretch indeed, and sobbing sorely by myself, when I thought no one heard me, I was observed by this woman, at whose house you now are, and pressed by her to go home. I soon found what sort of a house it was, and had I not been watched, when I talked of going away, and threatened to be sent to jail, for what it is pretended I owe since I came to the house, I should not have been here longer than the first day.

The Captain feeling with great sensibility the circumstances of her story, made reply: Said he, young woman, I greatly commiserate your history and situation, and feel myself impelled to revenge your wrong. But the villain which has thus injured you, is out of my reach, in two respects; first, by distance; and second, being too contemptible and base to be pursued by my resentment, even on your account. But revenge is not your object, but support and restoration to your friends, and the good opinion of the world. As to money, it is not in my power to advance you any great sum; but as far as words can go, I could wish to serve you: not words to yourself only, but to others, in your behalf. It is evident to me, that you have suffered by your own too great sensibility. It was humanity and generosity, that engaged you in his favour. It was your imagination, that gave those attractions to his vile and uncomely person, by which you was seduced. You have been a victim to your own goodness, and not to his merit. The warmth of your heart has

overcome the strength of your judgment; and your prudence has been subdued by your passion: or, rather, indeed, confiding in a man whom you had saved from all the pains and heart-felt miseries of unsuccessful love, you have become a sacrifice to your compassion and tenderness. The best advice I can give you, is, to compose yourself for this night. Preserve your virtue; for I do not consider you as having lost it: your mind has not been in fault, or contaminated. I will endeavour to find out some person who may be disposed to assist you; and, though it may be difficult for you yet to establish lost fame, it is not impossible. So saying, he left the room; but the young woman, impressed with these last words especially, viz. the difficulty, if not impossibility of regaining reputation, sunk down upon her chair, and could not pay him the compliment of thanks, at his departure.

During the night, through the whole of which he lay awake, at the public house, he ruminated on the extraordinary nature of this incident, and the means which he would adopt to recover this woman from her unfortunate situation.

Thought he, I am in a city where there are a great body of the people called Quakers. This society, above all others, is remarkable for humanity, and charitable actions. There is a female preacher of whom I have heard, a Lydia Wilson: I will inform this good woman of the circumstance; and, if she gives me leave, I will bring this stray sheep to her; she may have it in her power to introduce her to some place, where, by needle-work, and industry, she might live, until it may be in my power, taking a journey to her father, and stating the case, and giving my sentiments, to restore her to her family.

Early next morning, as soon as it could be presumed, the Quaker lady had *set her house in order;* that is, after the family might be supposed to have breakfasted, which was about nine o'clock, the Captain set out; and being admitted, stated to Mrs. Wilson the exact circumstances as before related. The pious woman readily undertook every office in her power. Accordingly, taking leave, the Captain set out for the house of Mrs. Robeson.

At the door he met a number of men coming out, and, on enquiry, he found a coroner's inquest had just sat on the body of a young woman of the house, who had, the preceding evening, suspended herself from the bed-post with her garter. He was struck, suspecting it must be the young woman whom he had so much in his thoughts. Going in, and enquiring, he found it to be the case; and that they proposed to bury as soon as the few boards of a coffin could be got ready. As a man of humanity, he could not but shed tears, and blame himself that he had not given her stronger assurance of his interposition before he left her, that she might not have fallen into despair, and taken away her life.

The coffin being now ready, the funeral set out, not for the burying-ground of a church-yard, but for a place without the city, called the Potter's-field: For suicides forfeit christian burial: Her obsequies attended, not by a clergyman in front, nor by scarfed mourners, holding up the pall; nor was she borne on a bier, but drawn on a cart; and the company that followed her uncovered herse, were not decent matrons, nor venerable men, but old bauds, and strumpets, and cullies, half drunk, making merry as they went along.

Being interred, they returned home; but the Captain remaining some time, contemplating the grave, thus spoke:

Earth, thou coverest the body of a lovely woman, and with a mind not less lovely; yet doomed in her burial, to the same ground with unknown persons and malefactors; not that I think the circumstance makes any difference, but it shews the opinion of the world with respect to thy personal demerit. Nor do I call in question the justness of this opinion, having such circumstances whereon to found it. But I reflect with myself how much opinion, operating like a general law, may do injustice. It remains only with heaven's chancery to reach the equity of the case, and, in its decision, absolve her from a crime; or at least qualify that which was the excess of virtue. If the fair elements that compose her frame, shall ever again unite, and rise to life, and as the divines suppose, her form receive its shape and complexion from her mental qualities and conduct on earth, she will lose nothing of her beauty; for her daring disdain of herself and fate, was a mark of repentance,....stronger than all tears. Yet, had she acted the nobler part, of holding herself in life, preserving her mind and body chaste until famine had taken her away, or the hand of heaven moved for her relief, she had shone, at the last rising, with superior brightness; been ranked amongst the first beauties of heaven, and walked distinguished in the paradise of God. Doubtless the Almighty must blame, and chide her for this premature and rash step. Fallen to the last point of depression, he was about to relieve her, and the sequel of her days might have been happy and serene. It was a distrust of his providence. She heard my words, tho' she did not know my heart. And surely it was my

intention to relieve her. But she erred against my thoughts; she eluded the grasp of my humanity. For this she will be reprimanded by the Most High, and fail of that super-eminent glory which awaits heroic minds. Yet, O world, thou dost her wrong, in sentencing her to so low a bed. Shall the wealthy, but dishonest men; matrons chaste, but cold and cruel in their feelings; shall these have a stone built over them, and occupy a consecrated spot, whilst thou, unworthy, art thrown amongst the rubbish of carcases, swept from jails; or of emigrants, unknown as to their origin and place.

Farewell, lovely form, whom late I knew: and let the grass grow green upon thy grave. Thy sorrows are expunged; but mine are awake; and will be so, until I also come to the shades invisible, and have the same apathy of heart with thee.

BOOK IV.

CHAPTER I.

RETURNING to his lodgings, he could not help reflecting by the way, that probably poor Teague, mortified by repeated disappointments, in going to Congress, being suffered to preach, or be a member of the Philosophical society; and what might afflict him still more, the not marrying the rich hostess, who had made him overtures, might, in his despair of ever coming forward in any respectable capacity in life, have suspended himself from a beam, or plunged into the river, and have put an end to his existence, which, should it be the case, being in some measure accessary to this catastrophe of the bog-trotter, by dissuading from these several pretensions, he could not acquit himself of guilt; at all events, he would feel great pain and sorrow.

Such were his reflections for a great part of this day, and he had thought of putting an advertisement in the paper, to know if any dead body had been

lately discovered, or inquisition held on a young man with red hair, and a long leg, who had been missing some days, and was supposed to have hung or drowned himself. But in the evening, meditating thus, mention being made by some of the lodgers, of going to hear the annual oration, delivered before the Philosophical Society, by a member, it struck his mind, that possibly Teague, falling in with some of this body, had been induced by them to take a seat, and might be present on that occasion. Not hesitating, therefore, he seconded the proposal of going, and offered to be of the party.

Coming to the hall, the philosophers were seated, but a black member sat with a taper before him, who, it seems, was to deliver the oration.

The fact was this: A gentleman of Maryland, of the name of Gorum, had sent to the society, some time before, a curiosity, found by one of his negroes in the mud of Wye river, on the banks of which his seat was. It appeared to be a stone, with a cavity sufficient to receive a man's foot, and was adjudged by the society to be an Indian's petrified moccasin. The singularity of the discovery, well intitling the gentleman to a seat, he was invited; but sending his compliments, he gave them to understand, that Cuff, (for that was the name of the negro) was more intitled to that honour than he was, being the person who had found the curiosity; and as he made it a point to do his slaves justice in any perquisite of their own, he could not think of robbing one, on this occasion of any honour, to which he might be introduced by this discovery.

The society approved his honesty and fair dealing, and by unanimous ballot, admitted the negro, who, having been a member some time, had been appointed to pronounce the annual oration. Cuff, a good

deal disconcerted in hearing of the task imposed upon him, had applied to his master to know what to say. Colonel Gorum attending a good deal to literary matters, had heard of an oration delivered before the society, the object of which was, to prove that the Africans had been once white, had sharp noses, and long hair; but that by living in sun-burnt climates, the skin had changed colour, the hair become frizzled, and in the course of generation, the imagination of the mother, presenting obtruse objects, had produced an offspring with flat noses. He therefore gave Cuff to understand, that it would be doing no more than justice to his countrymen, for he was a Guinea negro, if he should avail himself of this occasion, to prove that men were all once black, and that by living in snowy countries, and being bleached by the weather, the skin had gradually become white, and the hair moist and long, and the imagination presenting prominent objects to the mothers, or the fathers differing among themselves, and pulling one another by this part, had given the long and pointed nose.

Cuff, thus prepared, set out: having arrived, and being on this occasion to harangue, began as follows:....

THE ORATION.

Massa shentiman; I be cash crab in de Wye river: found ting in de mud; tone, big a man's foot: holes like to he; fetch Massa: Massa say, it be de Indian moccason.....O! fat de call it; all tone. He say, you be a filasafa, Cuff: I say, O no, Massa, you be de filasafa. Wel; two tree monts afta, Massa call me, and say, You be a filasafa, Cuff, fo' sar-

tan: Getta ready, and go dis city, and make grate peech for shentima filasafa. I say, fat say, Massa? Massa say, sombody say, dat de first man was de fite man; but you say, dat de first man was de black a-man. Vel, I set out: came along: Massa gi me pass. Some say, where you go Cuff? I say, dis city, be a filasafa. O no Cuff, you be no filasafa: call me fool, gi me kick i'de backside; fall down, get up again, and come to dis city.

Now, shentima, I say, dat de first man was de black a-man, and de first woman was de black a-woman; an get two tree children; de rain vasha dese, an de snow pleach, an de coula come brown, yella, coppa coula, and, at de last, quite fite; an de hair long; an da fal out vid van anoda; and van cash by de nose, an pull; so de nose come lang, sharp nose.

Now I go home, Massa shentima; an tel grate Massa, dat make peech, an ibedy body vas da; an den Cuff fin a more tings.....cabs, oysta, cat-fish, bones, tones, ibedy ting....sen to you, shentima.

The oration being ended, the society could do no less than appoint a committee to wait on Mr. Cuff, and request a copy of his oration, that it might be published.

But the Captain, in the mean time, had examined, with great attention, the whole audience, but could not discover Teague. Departing, therefore, with the rest, his thoughts recurred to his first idea, viz. that the unfortunate creature had committed suicide. Drawing up, therefore, an advertisement, he sent it to a daily paper: but, though it appeared next morning, and the day elapsed, there was no word of Teague.

CHAPTER II.

THERE is no fact that has proved more stubborn than the diversity of the human species; especially that great extreme of diversity in the natives of Africa. How the descendants of Adam and Eve, both good looking people, should ever come to be a vile negro, or even a mulatto man or woman, is puzzling.

Some have conjectured, that a black complexion, frizzled hair, a flat nose, and bandy legs, were the mark set on Cain, for the murder of his brother Abel. But, as the deluge drowned the whole world and only one family was saved, the blacks must have all perished; like the Mammoth, whose bones are found on the Ohio, and other places, which was too big for Noah to get into the ark.

Some suppose, that it was the curse pronounced upon Canaan, the son of Noah, for looking at his father's nakedness. They got rid by this means of the difficulty of the flood; but by Moses' own account the Canaanites were the descendants of Canaan; and we do not hear of them being negroes, which, had it been the case, we cannot doubt would have been laid hold of by the Israelites, as a circumstance

to justify their extirpating, or making slaves of them.

Lord Kaimes, in his Sketches of the History of Man, solves the difficulty, by supposing, that, at the building of Babel, there was a confusion of complexions, as well as languages. But, besides that it is not to be supposed that the historians would pass over so material a circumstance, without particularly mentioning it, it is introducing a miracle, which we are not warranted in doing, unless it had been expressly laid down to have been wrought.

The last theory, has been that of accounting for the change, from the climate, and accident of wind and weather; calling in aid, in the mean time, the imagination of the mothers. This does not appear altogether satisfactory. At least, there are those who would not be averse to hear some other solution of the difficulty. I have thought of one, which I would suggest with great diffidence; the authors of those before me being great men, and their hypothesis not to be lightly overthrown.

I am of opinion that Adam was a tall, straight limbed, red haired man, with a fair complexion, blue eyes, and an aquiline nose, and that Eve was a negro woman.

For what necessity to make them both of the same colour, feature, and form, when there is beauty in variety. Do not you see in a tulip, one leaf blue, and another white, and sometimes the same leaf white and red?

As God made Adam in his own likeness, so it is to be supposed, that Adam begat some in his, and these were red haired, fair complexioned, blue eyed, proportionably featured boys and girls, while, on the other hand, some took after the mother, and became negro men and women. From a mixture of com-

plexion, the offspring, at other times, might be a shade darker, in one case, than the father; and a shade lighter, in another case, than the mother, and hence a diversifyed progeny, with a variety of features, from the bottle-nose to the mire-snipe, which is that of the people in the west of Ireland; and from the auburn of the Corsican hair, to the golden locks of the Caledonian beauty; and from the black eye to the hazle and the grey.

It may be asked, how at the flood, when Noah, his wife, his three sons, and their wives, eight persons, only were saved? It is but giving some of the sons negro wenches for their wives, and you have the matter all right.

CHAPTER III.

AS I have said, the day passed over, and there was no word of Teague. In the evening, as it was usual with the gentlemen at the Indian Queen, to go to some place for the amusement of an hour or two, mention being made of a celebrated preacher, a Universalist, as he was called; that is, one who preaches the doctrine of universal salvation; it was proposed to go to hear him, as he was to hold forth that evening. The Captain readily consented, and it struck him, that, as this was a new fangled doctrine, and the preacher had made a great noise, and as it was a doctrine that, conscious of a good deal of fornication, would naturally please Teague, it was not impossible but the Irishman might have become a disciple of this reformist, and be at his conventicle.

Coming in amongst the crowd, and obtaining seats, they saw the preacher ascend the pulpit, and, after the preliminary exercise of psalms and prayer, take a text, and begin his sermon.

His text was taken from one of those passages of scripture, which speaks of "the lion lying down with the kid, and the tyger with the lamb," which have been interpreted of the Millenium, but were applied by him, to that period, when, as the sea shall give up

her dead, so hell shall give up her damned, and the devil himself shall come to lick salt out of the hand of an angel.

Enlarging on this doctrine, and supporting it with a variety of proofs from scripture, and arguments from reason, he seemed to have brought the matter to a point, answering all objections, and closing in with the hearer. At this stage, using that figure of oratory, which is usual in the pulpit, of asking questions, and pressing for an answer, but expecting none; he would say, is not this conclusive? Is it not evident? Is there any here can advance an argument against it? Will any of you speak.....I pause for an answer?

Mr. M'Donald, in the mean time, (the Scotch gentleman, who happened to be there,) thinking him really serious, and that he wanted an answer, or taking advantage of the pause and the interrogation, to speak his mind, leaning over the front of a back seat, made reply:

Why, said he, I like the doctrine well enough, and ha' na' disposition to o'er throw it. I dinna muckle care if there ware na' hell ava. If ye could make that out, I wad rather hear it, than o' being smoaked twa' or three thousand years in the devil's nuke, or singed wi' his burnt brimstone, even if we should get out afterwards. Ye need na' put yourself in a passion, or be flee'd that you'll no get proselytes, for I shall warrant you, as many every night as ye can weel stow awa i' the conventicle.

The preacher giving thanks to God for the success in his ministry, in the remarkable conversion of the man who spoke, the Scotch gentleman said again, ye need na ca' it a conversion, for I ha' been o' the same opinion a' my life, that it was a sare thing to bide the kiln of hell, and they wad deserve muckle

thanks wha could establish that we should na' stay long in it, or that there was na' such place ava.

The preacher commenting upon this, observed that some were orthodox from their birth, like Jeremiah, who was sanctified in his mother's womb, but others were hardly brought to the truth with much teaching and instruction. That the present was a happy instance of one who was in the right way from his very early years.

The Captain in the mean time, had been thinking of the doctrine, and thought it reasonable to suppose, that the Almighty might relieve after some time, and let the devils go. Just as with himself at present in the case of Teague: if he had got his hands on the bog-trotter, he could not help being very angry, and would be disposed to punish him with great severity, but after some time he knew his passion would subside, and he would forget his delinquencies.

Teague in this manner running in his head, as the people, after some epilogue of prayer and benediction, being dismissed, were retiring, he got up, and raising his voice, begged the audience to detain a little.....Good people, said he, if any of you should come across a young man, a servant of mine, of the name of Teague O'Regan, I shall thank you to send me notice to the Indian Queen, where I lodge. And, according to the advertisement in this day's paper, I will give two dollars reward.

Thinking him deranged in his brain, they proceeded, and took no notice of the proclamation.

CHAPTER IV.

CONTAINING OBSERVATIONS.

IN the infancy of christianity it was thought a hard matter to get to heaven, and that when once in hell, there was no getting out. A certain father of the church, of the name of Origen, was the first to be more liberal in his sentiments, and thought, that after a certain period, there would be a jail-delivery of the damned. I do not know that he went so far as to let the devils themselves out upon a furlough, but at the present time, we all know very well, that the time will come when they will be out all together: at least the universalists tell us this, and prove it.

The doctrine was received in some part by the early councils, but in other parts rejected. The matter was compounded by establishing a purgatory, for not consenting to liberate from hell, in order to satisfy the advocates of a temporary punishment, they fixed up a middle place, where all the advantages of penal purgation could be enjoyed, without the necessity of contradicting the eternity of hell torments.

Indeed under the catholic church, the *straight gate* and *the narrow way*, and the *many called and few chosen*, was a good deal laid aside, and the road made pretty plain by indulgencies and absolutions. But at the reformation, the matter was brought back to its old bed again, and the cry of there being but a *remnant* saved, was raised in every pulpit. There has been some relaxation of late years with almost every sect of protestants; and there is not just such a fury of tumbling great crowds into the tolbooth, as there was in the days of John Knox, and the framers of the Westminster confession of faith, and the catechisms. Dr. Bellamy, a New-England divine, some years ago, stated in his pamphlet, that the damned would be to the saved, as the malefactors of a country to honest people, that came to an untimely end by jail or jibbet. Some now preach boldly, not perhaps a total exemption from future punishment, but a final restoration from it; so that the matter is now brought nearly to what it was in the days of Origen. I do not know that I would be of opinion with the Scotch gentleman, and wish the matter carried farther, establishing that there is no hell at all; because if the thing should take a turn, it might go to the other extreme, and be all hell, so that none should be saved; and instead of universal salvation, we should then have the doctrine of the damnation of the whole, bodily.

CHAPTER V.

THE next day, revolving every thing in his mind, it occurred to the Captain, that the Irishman might have gone out of town, hearing of an election at a district, and have been elected to Congress. As that body was then sitting, he thought it could be no great trouble to go to the house, and cast an eye from the gallery, and see if the raggamuffin had got there. There was one that had a little of the brogue of Teague upon his tongue, but nothing of his physiognomy; others had a good deal of his manner, but there was none that came absolutely up to the physic of his person.

However, being here, the Captain thought it not amiss to listen a while to the debates upon the carpet. A certain bill was depending, and made, it seems, the order of the day. Mr. Cogan being on the floor, spoke:....Sir, said he, addressing himself to the chair, the bill in contemplation, is, in my opinion, of a dangerous tendency. I will venture to fortel, that, if it goes into a law, the cows will have fewer calves, and the sheep less wool; hens will lay fewer eggs, and cocks forget to crow day-light. The horses will be worse shod, and stumble more; our watches go too slow; corns grow upon our toes;

young women have the stomach ach; old men the gout; and middle aged persons fainting fits. The larks will fall dead in the field; the frogs croak till they burst their bags; and the leaves of the trees fall before the autumn. Snow will be found in the heat of harvest, and the dog-days in winter. The rivers will revert; and the shadows fall to the east in the morning. The moon will be eclipsed; and the equinoxes happen at a wrong season of the year. Was it not such a bill as this, that changed the old stile; that made the eclipse in the time of Julius Cesar; that produced an earthquake at Jamaica, and sunk Port Royal? All history, both ancient and modern, is full of the mischiefs of such a bill. I shall therefore vote against it.

Mr. Bogan was now on the floor, and advocated the good effects of the bill.

Sir, said he, addressing himself to the chair, I appear in support of the bill. I say, it will have a good effect on the physical world especially. The ducks will be fatter, the geese heavier, the swans whiter, the red-birds sing better, and patridges come more easily into traps. It will kill rats, muzzle calves, and cut colts; and multiply the breed of oysters, and pickle cod-fish. It will moderate the sun's heat, and the winter's cold; prevent fogs, and cure the ague. It will help the natural brain, brace the nerves, cure sore eyes, and the cholic, and remove rheumatisms. Consult experience, and it will be found, that provisions of the nature proposed by this bill, have an astonishing influence in this respect, where they have been tried. I must take the liberty to say, the gentleman's allegations are totally *unfounded;* and he has *committed* himself, in the matter of his history; the earthquake in Jamaica not happening in the time of Julius Cesar; and there-

fore could have nothing to do with the eclipse of the sun. I shall, therefore, vote in favour of the bill.

Mr. Cogan rose to explain, and said, that he did not say, that the earthquake at Jamaica was at the same time with the eclipse of the sun, which happened at the birth of Julius Cesar.

Mr. Bogan rose to correct the gentleman: It was not at the birth of Julius Cesar, but at his death, that the earthquake happened.

Mr. Hogan was on the floor: Said, he thought he could reconcile the gentlemen on that head. It was well known Julius Cesar lived about the time of the rebellion in Scotland, a little after Nebuchadnezzar, king of the Jews. As to the earthquake, he did not remember what year it happened, and therefore could say nothing about it.

At this period, the question being called, it was put, and carried by a majority of 25.

The Captain, satisfied with this sample of Congressional debates, retired, and came to his lodgings.

CHAPTER VI.

IT was about three or four o'clock in the afternoon, that some one, who read the advertisement respecting Teague, came to the Captain, and informed him, that a person answering the description, had been lately employed to teach Greek in the University. Struck with the idea, that the bog-trotter might have passed himself for a Greek scholar, whereas he understood only Irish, he set out to the University, to make enquiry. Knocking at the door of the principal, he was admitted; and being seated, addressed him as follows: Said he, sir, a pedeseque of mine, (for talking to the rector of a college, he did not chuse to use the vulgar terms, waiter, or bog-trotter,) a pedeseque of mine, whom I have found useful, save that he is somewhat troublesome in pretending to places of appointment for which he is not qualified; a thing, by the bye, too common in this country; where men, without the aid of academic knowledge, thrust themselves into places requiring great learning and ability: (This he said to flatter the man of letters; as if a man could know but little that had not been forged or furbished at his school.) I say, this pedeseque of mine, has absconded for some days, and I have been able to collect no ac-

count of him until last evening, that a person, having read an advertisement of mine in the gazette, came to me, and informed, that one answering the description I had given, both as to appearance and accomplishments, had been lately employed, as professor of the Greek language, in this University. Now, though I well know this Pady, as I may call him, to understand no Greek, yet, as he speaks Irish, and has much assurance, and little honesty in matters where his ambition is concerned, I did not know but he might have imposed himself upon you for a Greek scholar, and obtained a professorship.

The principal made answer, that it was true that a person from Ireland had been lately employed in that capacity, and that should he be discovered to be an impostor, it would be using the University very ill. The Captain thought so too, and taking it for granted that it was Teague, expressed his surprise that they had not examined him, before he was admitted; or at least had such proof by letters as would have had ascertained his being qualified. The principal observed, that as to examination, they had no one at hand to examine, as there were none of the trustees or professors of other branches in the University understood Greek; as for himself he did not, having not studied it in early life, and for a series of years having given himself to politics and mathematics; so that unless they could send out for a Roman Catholic priest, or a Scotch clergyman, there was none to examine. The improbability of any person passing himself, above all things, for a master of the Greek language on the score of understanding Irish, was such, that it never came into their heads to suspect it, so as to demand letters.

Had you known, said the Captain, this bog-trotter of mine, (here he forgot the word pedeseque,) as

well as I do, you would not be surprised at his attempting any thing; and that he should be now in your academy giving Greek lectures, understanding nothing but the vernacular tongue of his own country. Here he gave an account of his setting up for Congress, &c. as explained in the preceding part of this narrative.

However, wishing to see the raggamuffin, that he might unkennel him, he was accompanied by the principal to the chamber of the pseudo professor, considering as he went along, in what manner he should accost him; whether he should break out upon him with a direct invective, or with ironical words; such as, Mr. Professor, you must be a very learned man, not only to understand Irish, but Greek: but perhaps the Greek and Irish language are much the same. It must be so, for I know that a few days ago, you did not understand a word of this, and to acquire a dead language in such a short time would be impossible, unless the living tongue was a good deal a-kin to it. But I had never understood that Irish had any more affinity to the language of Athens and Sparta, than the Erse, or the German, or the Welch; however, we must live and learn, as the saying is; you have shewn us what we never knew before.

Conning a speech of this sort in his own mind, with a view to divert the principal, and amuse himself with Teague, he entered the chamber of the professor, who sat in an elbow chair, with Thucidydes before him.

What was the surprise of the Captain, to find that it was not Teague.

In fact it was a person not wholly unlike him, especially in a tinge of the brogue which he betrayed in his discourse; for though the professor was really

a man of education, having been early sent to St. Omer's, where he had studied, being intended for a priest, and understood not only the Greek and Latin, but spoke French; yet in the pronunciation of the English tongue, he had that prolongation of the sound of a word, and articulation of the vowel O, which constitutes what is vulgarly called the brogue, as being the pronunciation of the native Irish, who being a depressed people, are most of them poor, and wear a kind of mean shoe which they call a brogue.

After an apology to the professor for mistaking him for a certain Teague O'Regan, whom he had in his employment; at the request of the professor, the principal and the Captain took seats.

The professor said, his name was not O'Regan, being O'Dougherty, but he knew the O'Regans very well in Ireland. There was a Pady O'Regan in the same class with him at St. Omer's, when he read Craike. That he was a good scholar, and understood Craike very well; and he would be glad if he was over in this country to teach Craike here; it appeared to be a very scarce language, but he had become a praste, and was now a missionary to Paraguay, in South-America.

The Captain punning on his pronunciation of the word Greek, and willing to amuse himself a little with the professor, could not help observing, that he was under a mistake as to the scarceness of the Craike language in these States. That there were whole tribes who spoke the Craike language; there was that of the heron, and the raven, and several other fowls. A German professor who was present, apprehending the Captain to be under a mistake, and willing to correct him, observed....It is, said he, the Creek language, that the professor means. As to that, said the Captain, it is also spoken plentifully

in America. There is a whole nation of Indians, on the borders of South-Carolina and Georgia, that speak the Creek language, men, women, and children.

The professors knowing more of the classics than of the geography of these United States, and of the heathen gods more than of the aborigines of this country, expressed astonishment. If what you tell me be a trut, said he, it is a crate discovery; perhaps dese may have de fragments o' de books de philosophers and poets that are lost, and de professors cannot come acrass in deir own countries; but I have tought dat de Craike language was spoke only in de Morea, and a little in Russia and Constantinople.

The Captain assured him, the principal favouring the mistake, by a grave face, and bowing as the Captain spoke, that it was absolutely the vernacular language of these people.

Why den, said the other, do dey not get professors from amongst dese to tache Craike in deir colleges?

Because, said the Captain, we have been heretofore on hostile terms with these Indians, and it is but of late that we have made a peace. But now, it is to be presumed, we shall have it in our power to procure from them able teachers.

The professor was alarmed at this, as supposing it would supercede the necessity of his services; or, at least, much reduce the price of his tuition. He could have wished he had not come to this quarter of the world; and was almost ready in his own mind, to bind up what he had, and go back to Clogher.

So ended their visit to the University, and the Captain withdrew.

IT may be thought a preposterous idea, that it could, for a moment, be supposed possible, that the pedeseque could have had the assurance to pass himself for a Grecian. But I had it from the Marquis de la Luzerne, that a friend of his, who was in some public capacity at Moscow, and was entertained by a principal inhabitant of the city, was asked by him to visit an academy where the French language was taught, and at which his son, a young lad, then was. What was the surprise of the gentleman, to find a Pady from Cork, who understood not a single word of French, or Latin, teaching an unknown gibberish, which most probably was Irish?

CHAPTER VII.

OUR chevalier was now at his wits end, not being able to conceive of any other place of amusement in which Teague might be found; when all at once it came into his head, (led to it, perhaps, from the reference, in his late conversation, to the Indian tribes) that probably he might have fallen in with the Indian treaty-man, and have been prevailed upon to personate a chief. It appeared to him, therefore, adviseable to go directly to the secretary at war, to know if any party of Indians had been lately there to negociate a treaty.

Being introduced, and after some ceremony, accosting the secretary, he gave him to understand why it was that he had the honour to wait upon him, viz. that he had a servant of the name of Teague O'Regan, an Irishman, who had been absent some days, and that from a circumstance which happened in the way to the city, he had reason to suspect, he might have been picked up by a certain Indian treaty-man, to supply the place of a Welch blacksmith, who had died, and had passed for a chief of the Kickapoos.

The secretary was a good deal chagrined, believing the Captain to be some wag, that had come to

make this enquiry by way of burlesque on the Indian treaties; and with some irritation of mind, gave him to understand, that there had been no Indian treaty-man, or Kickapoo chief there; that no treaty had been held with the Indians for above a month past, since the king of the Togamogans had drawn goods; but treaty or no treaty, it ill became him, in the appearance of a gentleman, to throw a burlesque upon government, by insinuating that his Irishman could be imposed upon them for a chief.

I mean no burlesque, said the Captain, a little irritated in his turn; I have had too much trouble to keep him from the Indian treaty-man that was coming here, to be disposed to jest with so serious an affair. The hair-breadth escape of going to Congress, or being licensed as a preacher, or being chosen as a member of the philosophical society, was nothing to this, as it was so difficult to guard against it, the Indian recruiters imitating savages, not only in their dress and painting, but in the dexterity to way-lay and surprise.

I wish you to know, sir, said the secretary, that I comprehend your burlesque very well. But though you and others may misrepresent our policy in the Indian treaties, it is base irony and ridicule, to insinuate that the Indians we treat with are not chiefs.

Chiefs, or no chiefs, said the Captain, I am not saying, nor care; but only wish to know if you have been instituting any treaty with my Teague, who has been absent some days.

I will be much obliged to you to withdraw from my office, said the secretary.

I shall withdraw, said the Captain, and not with that respect for your understanding and politeness which I could have wished to entertain. I have ad-

dressed you with civility, and I was entitled to a civil answer; but I see the "insolence of office," is well enumerated by the poet, amongst the evils that make us sick of life. Your humble servant, Monsieur Secretary, I shall trouble you no further.

CHAPTER VIII.

RETURNING to the Indian Queen, a play-bill for the evening had announced the performance of the tragedy of Macbeth, and a farce called the Poor Soldier. A party of the gentlemen from the public house, had taken a box, and the Captain agreed to go with them to the play. Having delivered their tickets, and being admitted to the box, it struck the Captain to cast his eye upon the pit and galleries, and observe if he could any where descry the physiognomy of Teague. As before, when with the same view he surveyed the members of Congress, he could discover several that a good deal resembled him; but yet not the identical person. The curtain being now drawn, the play began. Nothing material occurred during the performance of the tragedy, save that when the witches came in, there was one in her cap and broomstick whose features a good deal resembled the Irishman's, and who, had she not been an old woman, and a witch, might have passed for Teague. The Captain was struck with the resemblance of features, and long frame of the bog-trotter, covered with a short gown and petticoat; and borrowing a glass from one that sat in the box with him, endeavoured to reconnoitre more perfect-

ly, and could have sworn that it was the mother or sister of Tea ue, that had just came from Ireland, and joined the company.

The tragedy being ended, the farce began to be acted. and who should come forward in the character of Darby, but the long sought for Teague. The fact was, he had before appeared in the tragedy, in the character of an over-grown red-headed witch. It was more natural for him to appear in the character of Darby, his own countryman; for he spake with the brogue naturally, and not by imitation. The managers had had him all the while of his absence from the Captain, under tuition, teaching him his part, which was not difficult to do; the manner and pronunciation being already his own.

It was this had induced the managers to take him up, as a substitute; the person who actually played the part of Darby, being at this time out of the way. As the natural squeal of a pig is superior to an imitation of it; so it was allowed by the audience, that Teague exceeded the pseudo Irishman that usually performed this part. All were pleased but the Captain, whose sense of propriety could scarcely restrain him from throwing his cane at the bog-trotter. Thought he with himself, what avails it that I prevented him from taking a seat in a legislative body, or from preaching, or being a philosopher; if, after all, he has relinquished my service, and turned player; a thing, no doubt, fitter for him, than the being a senator, or clergyman, or philosopher; because he can appear in some low character in the farce or comedy, and come off tolerably enough. For though amongst the dramatis personæ of learned bodies, there are Tony Lumpkins, and Darby M'Faddins in abundance, yet there ought to be none; and Teague

had better be on the stage than in such capacities, since he must be somewhere. But to leave me without notice, after all my civilities to him, is ungrateful, and deserves all that I can say bad concerning him. I shall give myself no farther trouble on this head; but let him take his course. I must endeavour to find another servant who can supply his place.

CHAPTER IX.

THE foregoing had been the reflections of the Captain during the exhibition of the farce. But the play being ended, and having come home, the next day he began to put his resolution in practice; and to think how he could supply himself with another servant. It struck him to purchase a negro; and mentioning this to the company, at breakfast, at the Indian Queen, one of the people call Quakers, who was present, and overheard the conversation, made an apology for the liberty he took in making some objections. Friend, said he, thee appears to be a discreet man, from thy behaviour, and conversation; and if thee will not be offended, I would ask if thee canst reconcile it with thy principles, to keep a slave. As to that, said the Captain, I have thought upon the subject, and do not see any great harm in the matter. If we look to inanimate nature, we shall find, that the great law is Force. The Cartesians call it pressure and suction: The Newtonians call it attraction and gravitation. The sun, the largest body in the universe, endeavours to draw all towards it; while the lesser globes struggle to fly off at a tangent. The denser, that is, denser air, takes place of the rare; and the heavier particles of water cause

the lighter to recede. The tall oak overshades the under wood. There is a predominancy and subordination in all things. In the animal creation the weaker is always subject to the strong; who even devour them, when the flesh suits their appetite: and the very teeth and jaw-bone of carnivorous animals, shew the intention of nature, that they should make a prey of living creatures. Do you blame yourselves, when you subjugate elephants, or horses, or oxen of the plough, to your use? What right have you to invade the liberty of a playful young colt, more than of an African inhabitant? Or have you not as good a right to take up a negro, and put him to your work, as you have to cut a calf, and manufacture him for the draft?

In this case, there is a difference, said the Quaker; a negro is a human creature, and posseses all the natural rights of man.

That may be, said the Captain. But what are the natural rights of men? Are they not finally resolvable, as in the inanimate world, into power on the one hand, and weakness on the other.

Who is it that abstains from dominion, when he has it in his power to assert it? Power is the great law of nature; and nothing but the pacts or conventions of society can contravene it. I should think myself justifiable in making any man a slave to answer my purposes, provided I treated him well while he was such. This I take to be the only condition which the law of reason annexes to the enjoyment of such property. I may be warranted in taking, and managing an animal of the horse kind; but it is my indisputable duty not to abuse him by causing him to suffer famine, or endure too much toil. The same with any other animal that I enslave; there is a tacit condition annexed to the grant which the law

of nature gives, viz. That the service be exacted with moderation; and proper nourishment be provided. I admit also, that humanity would dictate that the happiness of a slave ought to be consulted as much as is consistent with my own convenience. For instance: if I had the Grand Turk in my power, as he has been accustomed to a soft and effeminate way of living, it would be hard to put him all at once to maul rails, or clearing out meadow ground; or if it should fall in my way to have Catharine of Russia in that capacity, as she is a woman of an elevated mind, it would be inhuman to put her to the lowest drudgery, such as scrubing out rooms, and carrying water from the pump; but rather indulge her if I could afford it, with a more easy employment, especially as she is an old woman, of knitting stockings and carding wool. There is no man would be more disposed to treat a slave with tenderness than myself; but to deny me of my right altogether, of making one, or of trafficking for one when made, is carrying the matter too far.

So much for the right of enslaving. But if we put it on the principle of what will conduce to the aggregate happiness of mankind, we shall find it to be, that there should be master and servant, or in other words, owner and slave. The economy of nature illustrates this, in the subserviency of one thing to another: But, independent of any illustration, it must be known on reflection, and is felt in experience, that all are not competent to all things; and in the case of temporary servants, much time is taken up in contracting with them for their remanence; and it is a considerable time before they get into the habit of our service; and having it in their power to retire from us, when inclination may direct, there is an insecurity in the attachment. But

as the slave has the master always to provide for him; so master has the slave always to subserve him: and thus, by a conjoint interest, the felicity of both is promoted, and the sum of human happiness increased. Hence it is, that most nations have made use of slaves. The patriarch Abraham, had three-score and ten servants born in his house. What were these but slaves? The Jews, his descendants, had bond-men, and bond-women: Were not these slaves? The Roman slaves were more in number than the citizens; and amongst the Greeks, the most virtuous of them, viz. the Spartans, kept in their service the most depressed of all slaves, the Helotes; who, when we consider the black broth, the food, and severe life of the masters, must have lived on poor fare, and in a laborious service indeed.

But it may be said, that example of wrong never constitutes right. Grant it: But if you examine the capacities, and even inclinations of men, will you not find, that some are qualified only to be slaves. They have not understanding to act for themselves. Nor do all love freedom, even when they have it.... Do not many surrender it; and prefer kissing a great man's backside, to being independent? It is not always, even from the views of advantage, that men are sycophants; but from an abstract pleasure in being drawn into the vortex of others. There is a pleasure in slavery, more than unenslaved men know. Why is it, that, even after the convulsion of a revolution in a government, in favour of liberty, there is a natural tendency to slavery; and it finally terminates in this point. The fact is, a state of liberty is an unnatural state. Like a bone out of place, the mind, in an individual, or political capacity, seeks the condition of a master or servant; avoiding, as the particular propensity may be, the

one or the other. There cannot be a greater proof that this is founded in nature, than the common moral observation, that the greatest tyrants, that is, the worst masters, make the most abject slaves: And, *vice versa*, that the most subservient of mankind, when you give them power, make the worst use of it: All this because, in these cases, the persons are misplaced, and not in their proper stations. Julius Cesar made a humane generous master; but he would have made a very intriguing, troublesome valet de chambre. It would have been impossible to have got any good of him. On the other hand, Tiberius would have made an excellent hostler, and taken a beating, with as much resignation as a house beagle, who is used to it. So that it evidently is the provision of nature, that there are materials of slavery; and the fault of those, whom she intends for masters, if they do not make slaves. But as it is difficult to determine, *a priori*, who are intended for slavery or freedom, so as to make a judicious distribution, things must take their course; and the rule be, catch, catch can; and every man have a servant when he can get one. It is in vain to be squeamish, and stick at colour. It is true, I would rather have a white person, if such could be got; as I prefer white to black, especially in the summer season, as being a more light and airy colour.

Thy reasoning, said the Quaker, is more rhetorical than logical; and thy analogies of nature, and historical proofs, cannot so far oppress the light within, as to make me think, that it is given to thee, or me, to make slaves of our species.

As to that, said the Captain, I am not clear that a negro is of our species. You may claim kindred with him, if you please; but I shall not.

I shall not dispute that with thee, said the Quaker: for I perceive thee does not give credit to what the book says of the first man, and his descendants: But will thee not grant me, that the African, though not of the same stock, is, at least a man; that is of the human genus, though the species of the white and the black may not be the same; if so, hast thou more right to enslave him, than he thee?

Grant it, said the Captain; for my reasoning tends to that, and resolves the right into the power.

If so, said the Quaker, thee may be the slave in thy turn.

Doubtless, said the Captain; and it is not of so much consequence who is slave, as that there be one. It is better that the foot be foot, and the head be head; but if there is a conversion, nevertheless, let there be head and foot. It is necessary that there be domination and subjection, in order to produce a compound improvement and advantage.

You could see by the Quaker's countenance, that he thought the reasoning sophistical; but as he did not know very well what he could say more, he was silent.

CHAPTER X.

CONTAINING REMARKS.

IT is thought by some, the Captain was not serious in thus advocating the cause of slavery. Be that as it may, he omitted some serious arguments, that naturally present themselves on that side on which he reasoned: For instance, it strikes me at first blush, that there can be no moral wrong in catching a young African, and bringing him away from his own happiness to pursue ours. For if there were, is it to be supposed, that humane and just persons, would promote and support the evil, by purchasing such negro, or retaining him, and his offspring, when purchased. For, on the principle that the receiver is the thief, or, to speak more strictly, a thief, the purchaser of the African takes the guilt along with the possession; and, in the language of the law, every act of retainer is a new trespass. For the evil of the original act, if there be evil in it, cannot be rendered pure by the filtration of purchase, and retaining. So that the holder of the negro, in the tenth transmission, is an aider, or abettor, of the original act of taking; if I may use the word aider, or abettor, in a case of trespass; where, by the defi-

nition of the law, all who any way concur in the act, and further it, are *principals*. The holder of a negro must, therefore, look back to that act which first made him, or an ancestor, a slave; and if he cannot justify this, he cannot justify the retaining him in servitude:...What a consequence must this be! There is no man that pretends to humanity, much less to religion, would be safe in being the possessor of a slave. The only way therefore to get rid of the difficulty is to justify, *ab origine*, traffic in all such property.

That it is justifiable I have no doubt. Is there any religious denomination, except the fanatical people called Quakers, that have made it a term of communion not to hold a slave. In admitting to church privileges, I have never heard of the question asked, Have you any negroes, and do you keep slaves? If it was a matter of conscience, would not conscientious persons themselves make it.

The assemblies or synods of the Presbyterian church, or conventions of the Episcopal, in America, have said nothing on this subject. Is an omission of this kind reconcileable with the idea, that it is a natural evil, or a moral wrong.

In the phrensy of the day, some weak minded powers, in Europe, begin to consider what is called the African trade as a moral wrong, and to provide for a *gradual* abolition of it. If they will abolish it, I approve of its being done gradually; because, numbers being embarked in this trade, it must ruin them all at once, to desist from it. On this principle, I have always thought a defect in the criminal codes of most nations, not giving licence to the perpetrators of offences, to proceed, for a limited time, in larcenies, burglaries, &c. until they get their hands out of use to these pursuits, and in use to others. For it must be greatly inconvenient to thieves and cut-

throats, who have engaged in this way of life, and run great risks in acquiring skill in their employment, to be obliged all at once to withdraw their hands, and lay aside picking locks, and apply themselves to industry in other ways, for a livelihood.

The law of Pennsylvania on this principle, has provided for the *gradual abolition* of the slavery of negroes. For those who have got them could not do without them, no more than a robber could do without the money that he takes, being pressed by some great necessity to make use of that expedient to recruit his purse. All those therefore who have been originally taken from the coast of Africa, and deprived of liberty, or descended from such, and inheriting slavery, when recorded agreeably to the act in question, continue slaves, and for life, and their offspring to a certain period. But were we to entramel the case with *political* or *moral* doubts respecting the original right of caption, and subjugation, the difficulty would exist of reconciling it with *natural right to hold a slave for a moment, even whether the law sanctioned it or not;* in which case we should find it necessary to go as far as the fanatics in religion, and set our slaves *free altogether.*

It is from not duly attending to this circumstance, that abstract reasoners talk of abolition; a doctrine which, however absurd, is becoming the whim of the day; and the phrensy seems to gain such ground, that I would not wonder if they would next assert that it is unlawful to use the servitude of horses, or other beasts of burden, as having a natural right to live in the fields, and be as free as mankind. The best way to avoid extremes, is to check the principle; I hold the right of absolute subjugation, of whites, blacks, and browns of all nations, against gradual abolition, or any abolition whatsoever. This

being the only consistent principle, short of an absolute emancipation, made instantly; for in no *mean* is there reason, or a rest for conscience.

That it is of importance to settle the consciences of sober minded persons in Pennsylvania, clergymen, and members of the Presbyterian church especially, who have negroes, must be well known from that tenderness of conscience, for which such are remarkable. Some, indeed, carry their ideas of the extent of duties so far, as not to admit grace to meats, or the formal worship of prayer, reading chapters, and singing psalms, on the set occasions, on any consideration whatsoever; what is more, would not shave a beard, on the Sabbath day, for a cow. Now, should they, by any means, come once to think of the wickedness of enslaving men, there would be no getting them to keep a negro. For those of this denomination; and, indeed, most, or all others of the Christian, hold, that the Africans, though of a sable race, is of their own species; being descended from Adam..... This being the case, a slight matter, the bare directing their attention to the subject, would alarm pious people, and lead them to the favourite maxim of the gospel—"Do to others, as you would have others to do to you."

As opposed to the enfranchisement of negroes, generally, and in Pennsylvania in particular, I have been under apprehensions, that some of our young lawyers in the courts, might plead the constitution of the state, by which it is established that "all *men* are born equally free and independent." Now admitting that a negro is a man, how shall any master retain him as a slave? On a habeus corpus, he must be set at liberty. At least I cannot conceive how the judge could remand him to his drudgery. The constitution is the law paramount, and framed by a con-

vention of the people, recognizing the original right of freedom in a negro, allowing him to be a man; and carries us above the act of the legislature for the gradual abolition, &c. which by implication seems to suppose that negroes may be slaves:——

An implication inconsistent with the power exercised by the law. For if negroes were slaves, and so the *property* of those who claimed them, could the legislature affect that property, without indemnification to the masters?

I shall say no more on this head, lest I should furnish hints to pettifoggers, who may make an ill use of their information.

The fact is that this chapter, or something else gave rise to a habeas corpus in the case of a negro; and which came to trial in the supreme court of the state. The argument occupied a whole week; but it was determined that slavery by law did exist in Pennsylvania; maugre the constitution; which did not respect those in a state of slavery at the time of forming the constitution; and who were not parties to the *compact;* that it is a claim of property founded in wrong; but tolerated until it can be consentient with general safety, and the happiness of slave and master to abolish it altogether.

CHAPTER XI.

JUST at this moment a waiter coming in, told him there was a person without, that is, in the bar-room, who wished to speak with him. Going out, he saw Teague.

The fact was, being elated with the success of his performance on the stage, attributing that to art which was nature itself, he had counted more upon his accomplishments than he ought to have done, and had made advances to the mistress of the manager, who was also an actress, and not greatly coveting an amour with the bog-trotter, made a merit of the circumstance, to induce an opinion of fidelity, and informed the manager of the presumption of the Irishman. The manager in the most unbecoming manner, without either citation, examination, trial, conviction, or judgment, but laying aside all forms of law, had instituted an original process of himself, and laying hold of a horse-whip, had applied this implement to the back and shoulders of Teague, and as the Irishman made an effort of resistance at the first onset, the manager had been under the necessity, by turning the butt-end of the

whip, to knock him down, which he did by a stroke above the left eye-brow, which not only bereft him of senses for the present, but a discolouration of the eye for some days, and a scar probably his whole life after.

It was this incident had induced him to leave the theatre, and brought him back to the Captain, whom he now accosted in the following manner:....Dear master, for the love of shalvation, forgive a poor sharvant that has been killed this marning with a great cudgel, just for nothing at all, but not pleasing a damned whore, that wanted me to stale the manager's cloathing, and go off wid her. This is all that a poor sharvant gets by being hanest; but by shaint Patrick, and the holy crass, it is what I deserve for laving the sarvice of a good master, as your anour, and taking up with bog-tratters, and stage players, that would sooner take a cup of wine than the holy sacrament, and get drunk every night in de wake, and go to de devil head foremost; but if your honour, dear master, will forgive the past, and my running away, and laving you, I will come back again, and sarve you to the day of judgment, or any langer time that your honour plases, and clane your boots and spurs, and rub down the bay harse; the poor old crature, how aften I have tought of him when I was in my rambles and he was a slape, laste they should chate him of his oats, and give him nather hay nor straw to ate; for I always liked to take care of a good harse, and a good master; and aften tought of your honour, when I was among the bog-tratters of the stage, aud gave you a good name, and was always talking of you and forgot my part, and put the managers in a passion, who fell upon me, and bate me like a dog.

The Captain saw the inconsistency in the relation; one while alleging the tale-bearing of the mistress, as the occasion of it; again, a deficiency in the recital of his part; but expecting no truth from the Irishman, cared very little how it came to pass. The principal thing that occupied his thoughts, was whether to receive the bog-trotter, or dismiss him. He reflected with himself on the trouble he had had with him, on his various pretensions to advancement; his uneasiness of mind, and fatigue of body, for several days past, in examining stews, methodistical conventicles, rumaging philosophical societies, attending elections, and listening to the debates of Congress, to see if he could any where observe his physiognomy, or distinguish his brogue. He could not think of subjecting himself to such uncertainty in the attendance of any servant, with such preposterous ideas, as being a legislator, philosopher, &c. Again, he considered, that probably this last chastisement he had received, might have a good effect, in curing him of the freaks of his ambition; and a mind broken and reduced by disappointment, is in a mellow state, and more capable of receiving the seeds of good advice, than a mind full of vanity or pride, that has never yet received blows. Deliberating on these grounds, his humanity prevailed, and he determined to receive the raggamuffin into favour.

This being settled, and learning from the Irishman in what manner he had been inveigled, and drawn away by the manager, to go upon the stage; and that it was only because Teague had made advances to a woman that was a whore already, that the manager had made such an attack upon his person, he wished to punish him, if it should appear to be within the province of the law to do it. Accordingly, inquiring what principal lawyer there was in

that city, was informed of a certain counsellor Grab. Taking Teague with him, he set out to consult this gentleman. Counsellor Grab was in his office, amongst large shelves of books, or shelves of large books; not, as the Latins say, *co-operatus, aut abrutus, sed comitatus libris;* that is, In the midst of his books. He had on a pair of spectacles, not so much on account of age, as to make the client believe that he laboured under a premature want of sight, from much reading; or, because a pair of lenses, magnifying the organs of vision, gives the appearance of a larger eye, which has a good effect on the person consulting, impressing the idea of a broader view of things that are before it.

Entering, the Captain addressed himself to the counsellor, and gave him the outlines of the injury done to Teague; the counsellor, in the meantime, suspending his reading in a large book, which he had before him, printed in Saxon letter, and raising his head, until the glasses of his spectacles were brought to bear upon the physiognomy of the Captain.

The Captain having finished his account, referred him to Teague, the subject of the battery, for a more particular detail of the circumstances. Teague was glad of the opportunity of speaking before a learned lawyer, and was beginning to give a relation of the whole affair; but the Captain stopped him, bidding him wait until the lawyer should himself request him to begin. The lawyer was silent: after having reconnoitered with his glasses one while the Captain, another while Teague, he dropped his optics, and began to read again. The Captain, thinking he had not been sufficiently understood, recommenced the narration, and gave an account of what he himself had suffered from the inveigling and detaining

his servant, and the visible injury which the servant himself had sustained. The lawyer was still silent; and, though he had eyed him while speaking, as a Tuscan astronomer would the moon, yet he applied himself again to the reading the black letter that was before him.

The Captain thought it strange treatment; and was, for some time, at a loss to know what to think of the matter. But recollecting, opportunely, that the circumstance of a fee had been omitted, he took out his purse, and threw down two dollars. The lawyer seemed a little moved, but cast his eye again upon the black letter. Finding the two dollars not sufficient, the Captain threw down two more. The counsellor raised his head from the book, and you might discern some dilitation of the muscles of the face, as bespeaking an approaching opening of the voice; but still there was silence; and might have been to this hour, had not the Captain recollected, at this moment, what he had all along forgot, that half a joe was the fee of a lawyer. Doubling, therefore the four dollars that were already down, the lawyer came to his voice, the organs of his speech were loosed, and taking the glasses from his eyes, he gave his counsel as follows:

Said he, you have a double remedy in this case; against the manager who inveigled, and against the servant himself: Against the servant, on the act of assembly, if indented; at common law, on the contract to serve. For even a servant at will, and not engaged for any special time, is not at liberty to desert the service of his master, without reasonable notice first given. So that you may have your remedy against the servant, in the first instance, by bringing the matter before the court of quarter sessions; and having time put upon him, as the phrase is, for this

dereliction of your service; or, an action on the contract, express or implied, as the case may be, wherein he shall repair, in damages, the loss sustained.

The bog-trotter was alarmed at the idea of an action against him; and looking wistfully at his master, exclaimed, dear master, will you trow de law upon me, dat am as innocent as a shild unborn; and would go to death and damnation for you. Dear master, I suffered enough by de cudgel of dat player, for all de running away I have done; and, God love your shoul, keep de law in its own place, and not let it come acrass a poor sharvant, that has nathing but as he works and trats about; but let dese grate big books of his honour de lawyer, spake to de manager, for his deceiving a poor sharvant, and putting it in his head to run away, and lave a good master; and his beating him with a grate cudgel into the bargain.

I have no desire, said the Captain, to pursue the bog-trotter, as he has made acknowledgments for his faults; but would want the utmost rigour of the law to be put in force against the player.

You have also in this case a double remedy, said the counsellor, by prosecution on the part of the servant, and on your part. Nay, the servant himself has a double remedy; for he may prosecute by indictment, or bring his action of assault and battery, or both. I would recommend the action only, because, where no indictment is prosecuted, and the civil action only brought, exemplary damages may be given, as well as reparatory. For in the civil action, it will affect the minds of a jury, that the party has already suffered all that is in the nature of punishment by a criminal proceeding; and nothing remains with them, but to give reparatory damages. On the part of the master, two kinds of action may

be brought; either an action of trespass, *vi et armis*, laying a *perquod servitium amisit*, or simply an action on the case, for the consequential damage of inveigling the servant.

As to the number of remedies, said the Captain, or the kind of them, I care very little how many there are, or what they are; I want only a good remedy; give me a good swingeing one against the rascal, and I care very little what it is called.

I shall then, said the counsellor, advise simply an action on the case, and count generally on the inveigling and detaining, and rendering unfit for service while in his power. In this mode, the whole circumstances of the injury may be brought together, and summed up into one point of view, and enhancing the quantum of damages, can expatiate on the value of your servant, and the special occasion you had for his service at this particular juncture; for I make no doubt he is a valuable servant, and that it has been an irreparable injury to you, to have been defrauded of his service at this time.

As to his value, said the Captain, there can be no doubt, not only as a servant, but in other respects. I have been offered, or at least I suppose I could have got, an hundred pounds for him, to be a member of Congress, or to preach, or to go to the philosophical society, or to be an Indian treaty-man, but have refused every proposal made him, or me, for these purposes; and now to have him kidnapped and taken off, without fee or reward, and employed as an actor, and beat, and rendered useless, at least for some time, into the bargain, is too much for any man to put up with. If there is law in the land, let it be put in force, and this man made an example.

The counsellor had no need of spectacles to give himself the appearance of a glaring and broad look, on this occasion; for the words of the Captain made him stare sufficiently, without the aid of a magnifying medium, to enlarge his optics. He began to take him for a madman; at least in some degree deranged in his brain, to talk of his servant being in request for a member of Congress, and the like.

Yes, continued the Captain, he not only inveigled away a servant that was thought fit to be a member of Congress, and a preacher, and an Indian treaty-maker, and a philosopher, and what not; but has kept me, these three days, trotting after him, and trying to find him at election places, and in Congress boarding-houses, and the hall where they have their debates, and churches, and pulpits, and chambers of philosophical societies, and professorships, and where not, to see if I could find him; while this manager had him, in the meantime, at rehearsals, teaching him the art of mimickry, for the stage.

The counsellor, in the meantime, had reflected with himself, that, whether madman, or no madman, the Captain had money, and might be a good client, let his cause be what it would; and so composing the muscles of his face, seemed to agree with him; and observe, that doubtless the quality and capacity of the servant would be taken into view, in estimating the damages: That, if it appeared he was not only fit stuff for a servant, but to be advanced to such eminent offices as these, not only the inveigling the embryo legislator, preacher, and philosopher; but the assaulting and beating him, and, by that means disabling him from immediate service, must be viewed in the light of an atrocious injury, and insure a verdict accordingly.

Very well, said the Captain, and I shall wish to have the matter determined as speedily as possible, as I may be but a few days in town; and, besides, as the marks are yet apparent on the face, and I suppose, back, of the bog-trotter, it will appear to the judges and jury, without the trouble of witnesses, what damage he has sustained.

The process of law, said the counsellor, is tedious but certain; you cannot expect a trial in this case, until the 3d or 4th term; that is nine months or a year.

How so, said the Captain? Because, said the counsellor, it is now two months, or upwards, before the court to which the writ will be returnable. Even if a declaration is then filed, the defendant may imparl until the succeeding term, which is three months; when, if there is no demurer, general or special, a rule to plead will be taken, which may not be put in until the succeeding term of three months again: At this term, if there is no replication, rejoinder, surrejoinder, rebutter, or surrebutter to draw up and file, while the defendant may crave a term, issue will be joined, and at the next term trial. But even after a verdict, there may be the delay of a term, on a motion for a new trial depending; so that in the law there is delay, but this delay is the price of justice.

It is a price, said the Captain, that I will not give for it. If you will bring it about in a short time to have this fellow flogged, even with half the stripes he has given my servant, I shall not think the half-joe thrown away; but to be a year or half a year about the business, is putting the matter so far off, that it may as well be omitted altogether. If you could only get him sentenced to take a kick or two from

my foot, or Teague's, before we leave the city, I should be satisfied.

The *lex talionis*, said the counsellor, makes no part of our law. You can punish only in estate, not in person, for a simple assault and battery, as this is. Do you not hang a man for murder, said the Captain; and why not punish personally for an assault and battery? Because it is our law, said the counsellor; and, in a civil action, the object is damages.

A civil action and damages, are strange phrases, said the Captain; how can civility and damages be reconciled.

These are technical terms, said the counsellor, which persons, not of the profession, are at a loss to understand; but have, in themselves, a dinstinct and sensible meaning.

Let the terms mean what they will, said the Captain, it all comes to this at last:....There is no getting at the manager under a year, or two year's race for it; before which time Teague will have forgot the abuse he has received, and I my trouble in running after a strayed Irishman, through this city; and therefore it may be as well to give the matter up, and sit down with the loss.

That as you please, said the connsellor; and putting on his spectacles, cast his eyes again upon the black letter.

The Captain, without bidding him kiss his backside, beckoned to Teague to follow him, and withdrew from the chamber.

Having retired; Teague, said the Captain, this thing of law has been well said to be a bottomless pit. The way to it is like that to the shades;

.....Facilis descensus averni;
Sed referre gradus, hic labor, hoc opus est.

This pettifogger seemed to have a thousand remedies at his command, and yet none that would serve us; as the redress, if any, is to be postponed to such a distant day. I have heard a great deal of these cattle, and I believe they are best off that have the least to do with them. They have so much jargon of technical terms, that the devil himself cannot understand them. Their whole object is to get money; and, provided they can pick the pocket of half a joe, they care little about the person that consults them. The first loss is the best; you had better put up with the currying you have got, than have my pocket picked, on pretence of redress a year or two hence, which may, perhaps, prove a century.

Teague was contented to put up with the drubbing, and have no more said about it.

CHAPTER XII.

THE Captain had consoled himself with the idea that Teague was now cured of his folly, and would no more be disposed to entertain notions of ambition, and unreasonable projects. He was disappointed in his hope; for that very evening, the Irishman washing down the recollection of his woes with some exhilirating drink, and though not intoxicated, but enlivened only, he came to the Captain: Said he, Dear master, what would your anour think, if a poor sharvant should turn lawyer; and get a half joe when a customer comes to consult him in the morning? would it not be better than currying a horse, and tratting about like a big dog; with no sense to live like a man of fartune, and have a big house over his head, and books about him, and take half joes from paple that come to him about their quarrels and batings, through de town, and sending dem aff as wise as if dey had never come to him, and de great spectacles, to look like a blind man, dat was blind before he was born, and could see more than two or three other paple, for all dat; and was a canjurer, and a wizzard, and could take money for nating.... Would it not be better, master, than tratting like a fool, and disputing wid paple, and having nating to

lay up; but be as poor as a church mouse, or a rat, all the days of our life, and paple laugh after us when we are gone.

The Captain was thrown into a reverie of thought, by the speech of the bog-trotter; reflecting, that his presumption and folly was incurable; for, notwithstanding all that had been said to him, or suffered by him, his natural propensity remained the same; according to the maxim—*Naturam expellas bufurea, usque recurret;* you may toss out nature with a pitch-fork, she will still come back upon you. Not so much from any further view of reclaiming him, as from indignation, and resentment, against his presumption, the Captain projected, in his mind, a farther means of chastising him. He had heard of a work-house, in this city, into which refractory servants are committed, and put to hard labour; such as pounding hemp, grinding plaister of Paris, and picking old ropes into oakum. He resolved to have the raggamuffin put into this a while. Counterfeiting, therefore, an approbation of his project of becoming lawyer, doubtless, said he, the profession of the law is a profitable business, where money is very easily got, by the bare breath of the mouth. Nevertheless, it requires time and study to qualify for this profession. Nay, the introduction to the study, by being put under an eminent lawyer, in full practice, is itself very expensive. An hundred pistoles is sometimes the fee. This I could not very well afford; but I have an acquaintance in this town, who, I am persuaded, would be willing to oblige me, and will take less. I will call upon him early to-morrow, and settle the contract.

Accordingly the next day, calling on the keeper of the work-house, he gave him an account of his refractory servant, and with a gratuity of a couple of

guineas, obtained his consent, to take the bog-trotter under his direction, and give him a few lessons in picking oakum, and grinding plaister of Paris, and pounding hemp, not withholding, in the mean time, a seasonable application of the cowskin, in the intervals of study of these several branches of the law. For the idea was to be imposed upon Teague, that this was an office, or as it were an inn of court, or chamber of the Inner Temple; and that the several flagellations, and grindings, and poundings, were so many lessons, and lectures, to qualify him for the practice of the law.

It happened, fortunately, that the keeper of the work-house was well qualified for the task; for, in early years, he had been put an apprentice to an attorney, and had some opportunity of attending courts, and hearing the names of books to which the advocates referred in their pleadings; but having a turn for extravagance, and a dissolute manner life, he had come to poverty, and, through various scenes, to jail. There, by address, he had gained the good will of the jailor's daughter, whom he married: and, by the interest of his new father-in-law, having obtained his liberation, he was, from acting as deputy jailor, in a series of time, at length promoted to be the keeper of this work-house. Indeed, from his employment, being acquainted with the prisoners, and finding himself sometimes interested in their fate, and being led to attend their trials, he had, even in his last capacity, been a good deal about courts, and heard law phrases and books mentioned.

Accordingly, when Teague was introduced, which was that very afternoon, he had, at his command, the names of the abridgers, and reporters, and commentators of the law, and the technical terms in the commencement and process of a suit; so that, when the

key was turned, and, after having stript him of the linen doublet that was upon him, he began to give him the first application of the cowskin, he told him this was reading Wood's Institutes; and when, after this, he was sentenced to an hour or two's hard labour, at grinding plaister of Paris, this was called Coke upon Littleton; and when the employment was varied, pounding hemp, or picking oakum, it was called Hawkin's Pleas of the crown, or Foster, or 4th Blackstone, &c. When the poor bog-trotter, reduced to a skeleton, living on bread and water, complained of the hard usage, and offered himself a servant for life, to curry horses and brush boots, to any Christian creature would take him out of that place; he was told, that, as he had begun the study of the law, he must go through with it; that that was but the commencement of the suit; that in a year's time he would learn to file a declaration; in another, to put in a plea; in a third, to join issue; and in a fourth, to conduct a trial; that unless a bill of exceptions had been filed, or there was a motion, in arrest of judgment, or a writ of error brought, he might be admitted the fifth, and begin to practice the sixth year: At all events, provided he would submit himself, with due application, to fasting, and cowskinning, and grinding plaister of Paris, pounding hemp, and picking oakum, he might be a lawyer the seventh year, and wear spectacles, like counsellor Grab, and take half a joe when he thought proper.

I know not by what simile to represent the howl of the Irishman, at this prospect of the duration of his woes. It was like that of a wolf at the bottom of a well, or a dog that had lost his master, or a cow her comrade, or some forlorn wanderer that has missed the way, and given up all hopes of being extri-

cated from the wilderness. At the various applications of the cowskin, he had jumped, and cursed, and swore, and prayed, and beseeched, and promised a thousand services, of currying horses, and brushing boots, and trotting wherever he was ordered, provided they would set him at liberty. When employed at the hard labour, before mentioned, he had groaned, and cursed the law, the counsellor, and the half joe. Ah, thought he, if my dear master, the Captain, knew how hard a ting it was to study law, and to fast widout ating or drinking, and be bate wid a cowskin, he would not have given the hundred pistoles, nor the half of it, to have had me kicked and cuffed in dis manner: I would give body and shoul into the bargain, if I could see him once more at that iron gate there, to spake to him, and besache him to take me out of this purgotary. He was a good master; and when I was a fool, and wanted to be a member of Congress, and prache, and be a phalosophar, he told me, Teague, your are a fool; and what they would do wid me there; how they would bate me, and ate me, and take de skin aff my back, and make a cow or a shape od me; and now I am worse than a cow or a shape, or a horse in de tame; for I am cut, and curried black and blue; till my flesh is raw, and a cholic in my belly, wid fasting; and all to stoody dis law. The devil take counsellor Grab, and de half joe.

CHAPTER XIII.

THE Captain having been led to think so much of law, of late, was struck with the idea of visiting courts of justice, and hearing some of those cases argued, which come before them. Understanding that a court was then sitting, he resolved to take the opportunity of the interval of Teague's purgation, in the work-house, to amuse himself with the pleading of the advocates. Accordingly, repairing to the court-house, he took his place amongst the crowd, and listened to what was going forward.

What came before the court was a motion in arrest of judgment. A Jonathan Mun had been indicted, and found guilty of "feloniously taking and carrying away water out of the well of Andrew Mab." It was moved in arrest of judgment, that larceny could not be committed of water in a well, it being real property; for it was a distinction of the common law, that larceny could not be committed of things real, or savouring of the reality, Black. 232. 2 Ray. 470. Hawkins, &c. So that taking away the soil was merely a *trespass;* and taking away the water could be no more.

It was answered, that water being *fluitans*, *et mobi is*, could not be considered as real property; that an

ejectment would not lie for water, but for so many acres of land covered with water, Yelv. 143. 1 Burr. 142. Because it was impossible to give execution of a thing which is always transient and running, Run. 36, quotes Cro. Jas. 150. Lev. 114. Sid. 151. Thence it is that in a grant of the soil it is necessary, as we see from old forms, to add the right of ways, woods, and water-courses, Lilly. Con. 132. and 179. Bridg. Con. 321. That whatever might be said of water in its natural bed on the soil, as water in a running stream; yet a well being dug by the labour of hands, the water thus acquired, must be counted as personal, not real property. Barbcray, Titius, and Locke. That at a well, the water being drawn up by the bucket, and thus by one act separated from the freehold, and by another taken from the bucket, it becomes a subject of larceny; as in the law of corn, trees, or grass growing. For if these be severed at one time, and at another time taken away, it is larceny. Hawk. Pl. Cr. 93.

It was replied, that an ejectment would lie of water in a well; for here the water is fixed in a certain place, within the bounds and compass of the well; and is considered as part of the soil. Run. 37. That, *ex vi termini*, in the indictment, "out of the well," it must be considered as water *ex*, out of, or from the well; that is, water severed by the very act of taking; for otherwise it would have been expressed, by "water out of the bucket" of Andrew Mab; not out of the well; and so the taking could not be larceny, but trespass; as in the case of a tree that is cut down at one time, and taken away at another; or apples growing on a tree, or shaken down and gathered from the soil; the first being a trespass, the second larceny.

Curia advisare vult.

The Captain whispering to lawyer Grab, enquired what difference it made in the punishment, whether it was larceny or trespass? He was answered, that in the one case it was hanging by the common law, and in the other to pay the value of the property. A very material difference indeed, said the Captain, to depend on so nice a distinction.

CHAPTER XIV.

THE Captain had now leisure to reflect on the predicament in which he left Teague; and thinking he might have had what was sufficient to cure him of his folly, or at least restrain it, thought of making a visit to the house of employment, or sending to liberate the valet.

This thought running in his head, he naturally suggested it to a gentleman with whom he was, at this time, in conversation, on indifferent subjects; the gentleman lodging at the same inn, or public house, and seeming to be a person of considerable shrewdness and discernment, not only of the affairs of men in general, but of the special spirit and character of these times.

Said the gentleman; The folly of your man has certainly been very great, to suppose, that he could be qualified to sustain the profession of an advocate, and to practise law: For, though in this, as in most other professions, "the race is not always to the swift, nor the battle to the strong;" *but the people that sheweth favour;* that is, take up an opinion of abilities, where there are none; yet your servant, having so little, even of the semblance of qualification, it would be counting too much on the circumstance, to pro-

mise great success in his case. His prospect of advancement would be much more certain in the political career. You seem, by your account, to have discouraged him in taking a seat in the legislature; and would not wish now to contradict yourself: yet why not indulge him in taking a place in the executive of some government. As far as I see, with that ambition which is natural to him, you will find him but of little use, as a waiter: and you may as well let him do something for himself, as not. If appointed in the department of finance, he can use clerks; and, in a very short time, he may learn to write his name, so as to give his signature to any paper; and this, with the help of clerks to do the accountant business, would be sufficient: At least, there have been those in these departments, who have been approved, and yet could do little more. Should he even become a governor; furnished with a secretary, he can be at no loss to compose his messages, or other communications, to individuals, or public bodies.

But what I would propose, and will suit him best, will be to go into the general government; and, under this, the diplomatic line will be eligible. He might be appointed consul to the port of Cork or Dublin; or the Barbary States; or other places: Or he might go as ambassador to the grand Mogul; or envoy extraordinary to the king of England; or other princes or potentates in Europe.

If you should think of favouring him in this career, it will be necessary for him to appear at the levee of the president, that he may be introduced with a certain gradual etiquette of advancement.

What! said the Captain, introduce a ragged bog-trotter to the president of the United States!

Not ragged, said the gentleman; you can have a pair of breeches made for him; and put shoes upon

his feet: a sword will be necessary; and some other articles of equipment. And when you bring this into view with his making his fortune, you will not consider it as advancing much for a person whom you wish to serve.

The Captain began to think there was weight in the observations of this gentleman; and that it might be proper to let the bog-trotter have a chance of doing what he could: Accordingly, he wrote a note to the keeper of the house of employment, to liberate him for the present.

The state of politics at this time, and the prospect of Teague's advancement, we shall leave to the Second Volume of this work.

POSTSCRIPT.

IT is well for men in office, that my pen has taken this turn; and that I employ myself in writing harmless nonsense, rather than strictures on their conduct. In the case of the famous Gordon, who, with Trenchard, was an author of what were stiled Cato's Letters, it is well known that the shrewd minister of that day, Walpole, dreading the effects of these writings, wisely laid a plan to free his administration from them; by affecting to admire the stile; and saying, that it were a pity so noble a genius were not employed in giving a sample of good language, where there would be no occasion to invent, but merely to clothe ideas. For this reason, he would consider it as a great happiness, could he be induced to translate some work of merit; and give it in the beautiful garb of his expression. By this address, and the addition of a pension, the author was induced to undertake the translation of Tacitus.

Now, what government, with great art, got Gordon to do, I have done of my own accord; that is, to amuse myself in abstract composition; regarding words only, and letting men of place alone. Nevertheless, as the sale of these is not certain; and if I should find it an expense, rather than a profit, to pro-

ceed in the work, I may quit it, and fall foul of the public measures, those who discharge the public trust, at the present time, may not be altogether safe. It were, therefore, wise policy in such, to assist the sale as much as possible; and it might not be amiss, in the first instance, to buy up, each of them, a number of copies. I do not know that I have any thing to say of the president of the United States; or that I would say it, if I had; nevertheless, it might not be amiss for him, on the principle of preservation, and, agreeably to that universal prudence he has ever shewn, to take a few; perhaps fifty might suffice. The secretary of the treasury, and the secretary at war, might take between them, about five hundred. As to the secretary of state, he is such a skin-dried philosopher, that an author would make as little out of him, as a fly would out of a weather-beaten bone; and so, it is of little consequence to him, whether he buys one at all; for I believe I shall not trouble my head about him. As to the Congress that have sat since the adoption of the federal constitution, they need not put themselves to the expence, individually or collectively of purchasing one pamphlet; as I am determined not to be bought off by them; but in a work which I shall by and by publish, will canvas, freely, the respective demerit of their votes. I have not yet written any part of this work; but I have it all in my mind; and if I had a ready amanuensis, to take it down, could give a volume in a short time.

The whole gradation of officers and place-men, under government, are a good deal in my power. Not that I would descend to attack *them;* but I might affect the system by which they are supported. A pretty liberal purchase, therefore, on their part, might be money not ill laid out.

The men that are upon the government of Pennsylvania, would find their account, in making it worth my while to let my fingers run in this way, a while longer. *Peream ne scribam;* I must write; and if I should break out upon them, I know not where I might end.

END OF THE FIRST VOLUME.

S. H. M'FETRICH, PRINTER.

MODERN CHIVALRY.

MODERN CHIVALRY;

CONTAINING THE

ADVENTURES OF A CAPTAIN,

AND

TEAGUE O'REGAN,

HIS SERVANT.

BY H. H. BRACKENRIDGE.

QUID VETAT RIDENTEM DICERE VERUM.....HOR.

PART II.

VOLUME I.

PUBLISHED BY

JACOB JOHNSON, AND FOR SALE AT HIS BOOKSTORES IN PHILADELPHIA AND IN RICHMOND, VIRGINIA.

ALEXANDER & PHILLIPS, PRINTERS, CARLISLE.

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1807.

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MODERN CHIVALRY.

CHAPTER I.

Hiatus valde deflendus, multa desiderantur.

HERE is a great gap. Not a word said of the Captain, from the packing up of Teague, and sending him off to France, until after the termination of the French revolution, and the armistice or convention of Amiens. Though the fact is, that he had been, all this time, travelling, and Teague had rejoined him, in the capacity of a pediseque, or foot-boy, as before. As to Duncan, the Scotch waiter, he had, long since, left the service, and taken a job of weaving in the neighbourhood, and was doing well. The Captain had endeavoured to persuade him to take to preaching, as many do in this country who are less qualified, but he refused, alleging, that though it was good work that pleased the customer, yet he had some scruples of conscience in undertaking the charge, not having been regularly called by ordination to the office.

Teague had been landed at Nantz, and being a real sans culotte, was liberated, and caressed by the multitude. With considerable eclat, he made his way to Paris. We hear of him at a very early period as made use of, by Anacharsis Cloots, the orator of the

human race ; this was in a procession, in which representatives of all nations, were introduced in their respective garbs, addressing the convention. Teague was in the character of an Esquimaux Indian, and passed his aboriginal Irish, for the native dialect of that people. An Irish officer that was present discovered the imposition, but the guillotine forbad him to speak, and he was silent.

This ultramarine person, (Teague) was a good deal distinguished during the reign of Robespierre, and was employed on many occasions, and discharged a variety of functions, so that though his morals were not much amended, nor his address much improved, yet he had contracted French phrases, and could interlard his dialect with a que voulez vous ; and je demand pardon. At length he found himself in the conciergerie, a destination from which no talents, virtues, or even vices could exempt. And it was only on the fall of that monster of whom we have just made mention, that he was vomited with others from the caverns in which he had been secluded. How he ever got to America again, it is difficult to say. We shall leave that to those who may take from his own mouth the memoirs of his travels. It is sufficient for our purpose, that he did get back, and that he is once more in the train of the Captain. The fact is, that he had joined him in a most unexpected manner, in a short time after Duncan the Scotch servant had begged to be dismissed, to apply himself to a profession more congenial with his education.

We shall go no farther back upon the steps of the Captain, with the bog-trotter at his heels, than where we find them within a mile, or less of the village, where his home was, and where he had resided some years, before he had set out on his peregrinations. Passing through a wood just as he approached the town, he saw at some distance before him the semblance of

men suspended on the limbs of trees, or at least the exuviæ of men, coats, waist-coats, breeches, and hats. What can this be, said the Captain? Is it probable, that hearing of your return, Teague, the wags of the village have been making what are called paddies, and have set them up on these trees, knowing that this way we should come.

By St. Patrick, said Teague, I will paddy dem wid dis shalelah. I will tache dem to make paddies, and hang dem up for sign posts in de wood here. Dis is not St. Patrick's day in de morning neider: bad luck to dem, it may be some poor fellow dat dey have hang'd up in reality, for shape staling as dey do in Ireland.

I see nothing, said the Captain, but the emptyings of ward-robes, jibbeted through the grove: stretched on trees, or suspended from them, a phenomenon, which I am unable to comprehend, or explain; for I see no corn growing underneath, from which, a priapus, or scare-crow might affright the birds; nor can they be the vestments of people at work, near hand, or stripped to bathe, as I see no water pond, or river, but a dry grove.

The fact is, these habiliments were of the people of the town, who had hung them up to the dew, in order to take off the musk of a pole-cat which had affected them from the perfusions of one of these animals. For, not long before this, a typographist, had set up a paper in the village, and in the capacity of editor had chosen to assume the symbol, or hieroglyphic of the Porcupine. A happy nature had fitted him for a satyrist, and felicity of education was not wanting to qualify him for the office. He had not the pleasantry of Horace, nor the pungency of Juvenal, but an original stricture of his own that supplied the place of them. The truth is, he had been bred in the barracks, and had at his finger ends, the fami-

liar phrases of the common soldiery, with that peculiar species of wit, which is common with that occupation of men, and in that grade. Doubtless we see something like it among the plebeians of all classes and denominations; The women that sell fish at a certain stand in London, have a species of it, known by the name of Billingsgate, either because there is a gate of that name near the place, or formerly was one. The miners and coal heavers have a good deal of it. The scavengers and chimney sweepers are adepts, though without the least scholastic education, or knowledge of letters. I have known even in our own country, where we are remote from the seats of the muses, a good deal of it possessed, by way travellers, or boat men on our rivers; a kind of unshackled dialect; fettered by no rule of delicacy, or feeling of humanity. I have been turning in my mind what word in our English language, best expresses it, and I have found it to be that which has been given it by Thomas Paine, *black-guardism*. The editor of the Porcupine had scored the village not a little. I do not say rubbed. For that is a translation of the phrase of Horace: urbem defricuit; and conveys the idea of tickling, or causing a sensation pleasant, yet hurting a little. That was not the case here. For what man without indignation can bear the touch of the slanderer, *more especially if that slander is of a private, and domestic nature and alludes to what cannot be explained or defended. Not that it is true, but a man in the just pride of standing in society, would scorn to appeal to the public or bring it before a court!*

There was in the village a man of understanding, and sensibility who had been the subject of caricature and not chusing for reasons that weighed with himself, to take it in good part, thought of retaliation. But what could he do? The same language was unbecoming a gentleman. The like strictures of fol-

bles or of faults on the part of an adversary, could only become the character of a subordinate. Nor was it so much his object to repress the licentiousness of this buffoon, as to correct the taste and judgment of the public who did not all at once distinguish the impropriety of countenancing such ribaldry. This they continued to do by receiving his papers.

With a view to this having taken a pole-cat on the mountains, he had put it in a cage and hiring an office contiguous to that of the Porcupine, he kept it there, suffering the boys of the village to provoke it, and the dogs to bark at it through the bars. It was in vain to complain; the owner called himself Paul Polecat, and when Porcupine expostulated and justified his gall on the *freedom of the press*, Paul fortified himself on the liberty of the *Express*.

But it was not Porcupine alone, nor his unoffending wife and family that had reason to complain of this nuisance. The children running home to their parents, and the dogs with them brought the perfume to the houses of the village. The wearing apparel of almost every one was affected with the musk; the women buried their dresses; the men in some instances did the like and in others, hung them up to the action of the air, and the dews of the adjoining wood.

The vestiges of these were the phenomena, which the Captain saw, in his approach to the town.

He had now got within sight of the main square, when a tumultuous assembly struck his eye; some with fists raised; others with sticks, and all in a menacing attitude. He could also hear tongues of people altercating with one another and using opprobrious epithets.

The fact was, that the village had become divided. Those who had been the subjects of the obloquy of Porcupine, justified the emission of the cats, and were of opinion that the one had as good a right to be

borne as the other. Council had been taken and learned opinions given. But this making the matter no better, the dissention had increased, and the people had come together in a rage.

Teague at a distance seeing this, stopp'd short; said he, what means all this paple in de street? It is as bad as dat of St. Anthony in Paris, or de place de greve where dey have de gillotine. The devil burn me if I go farther, 'till your honour goes on and sees what is de matter.

The Captain advancing to the populace was recognized by them, and his appearance contributed not a little to a longer suspension of hostilities.

Countrymen and fellow-citizens, said he, is this the satisfaction that I have, in returning amongst you after an absence of several years, to see man armed against man, and war waged not only in the very bosom of the republic, but in the village which I have instructed by many precepts? What can be the madness that possesses you? are not the evils of life sufficient? but you must increase them by the positive acts of your own violence. You cannot wholly preserve yourselves at all times free from the maladies of the body, or the distresses of the mind. But it is in your power greatly to assuage these, by the virtues of temperance and moderation. What fury can prompt you, to this degree of apparent resentment, and approaching tumult. Is it local or general politics? Is it any disagreement with regard to your corporate interests, or is religion the cause? Has any flagrant instance of moral turpitude, or exceeding knavery in an individual, roused you to this excess of violence, and exclamation?

Captain, said a middle aged man stepping forward, companion of his years, and who had long lived with him in the village; it is not only pleasing to see you return in apparent good health, but more especially,

at this particular moment when your interference cannot but be of the greatest use, to the citizens; not only on account of that confidence which they have in your judgment and discretion, of which they have a lively recollection; but as they must naturally think that your travelling must have given you knowledge, and brought you home full fraught with learning and information. Your humanity is also, well remembered by them, that man, woman or child was never injured by you, in life, estate, or reputation; that on the contrary, it was always your study to do good, and compose differences. Now a misfortune has happened to the village; If I can call it a misfortune, which was at first thought a good; a printer came to this place and set up a paper, or gazette, by taking subscriptions from those that were willing to give them. His device was the Porcupine; scarcely a month had gone over his head before he began to lampoon; searching into the secrets of families, and publishing matters of individuals, with which, whether true or false, the public had nothing to do; and this in so low and disorderly a manner, that the more intelligent have disapproved of it; but the bulk read, and it seems to increase rather than curtail his subscribers. A young man on the other hand that has had an academic education, meaning to burlesque his manner of writing, having gone to the mountain with a dog, or a trap, and having taken a pole-cat, he puts the beast in a cage; hires that frame building that you see, one story high, and but a room on a floor, and calls it his office. Here he places the pole-cat with a man to attend it. What a running of boys; what a barking of dogs we have had! and when the children run home, and the dogs after them; what a putting of the hand upon the nose, by the servant girls and the mistresses, at the smell that accompanies. The young man justifies himself under

the pretence that it is but retaliation of the odour that proceeds from the press of Porcupine; for, as this affects the organ of smelling, that disgusts the judgment of the mind. The people are divided, as will always be the case, if for no other cause, yet for the sake of division; because the pride of one man forbids him to think just as another does. The adversaries of the oppossum, or what else it is, insist that it shall be put down as a nuisance, and have met with clubs, staves and knives, to carry the threat into execution. The advocates of the animal on the other hand have convened to oppose them.

But said the Captain, did I not leave you a regular corporation? Have you not power to make bye laws? and is not this done upon notice given by the chief or assistant burgesses? why such hurry scurry as this? moreover it is a weighty question that agitates the public mind; a question of right: and where the rights of the citizen come in question, I hold it a most delicate thing to decide; in a free government, more especially, where the essence of liberty is the preservation of right; and there is the right of conscience, the right of property, and the right of reputation. This is a right of property; for if this animal which is feræ naturæ, has been reclaimed by the owner, he has a right to put it to such use as suits his trade, or accords with his whim, provided that it does not affect the rights of others. The limit, boundary, or demarcation of this use, is a question of wise discussion and examination; and not in a tumultuous assembly, heated with wine, but with the ardency of their own spirits. I advise therefore, and so far as my weak judgment deserves to be regarded would recommend, that each man lay down his shalelah, baton, or walking-stick, and retire for the evening; and convene to-morrow in a regular town meeting, where the adversaries and advocates on both sides

may have an opportunity of being heard. To-morrow when you meet with the chief burgess in the chair, to keep order, and preserve decorum, assign the proper times of speaking, and call to order on a deviation from the subject, as is usual in deliberative assemblies, the business can be taken up, and conducted as is proper in town meetings. I am now just from my journey; somewhat fatigued; but more moved by the consideration that I am on horse-back, and it is not becoming that I take a part in your debates as if my horse were to speak also; for though it is true that some of you may speak with perhaps as little sense as he could, were he to open his mouth and attempt utterance; yet the decency of the thing forbids, and even the exercise of the right might be questioned; for the faculty might exist, yet he could not be considered as legitimately franchised to this privilege, at least not having a right to vote in town meetings. For though in the congress of the United States, the representatives of the territories, not yet organized into independent states, and made regular members of the Union, have a right to speak, but not to vote, this is not to be drawn into precedent in subordinate corporations; for that is a special provision of the constitution And it is even indecorous for myself to sit here and speak, mounted, as occupying a more elevated station; and should I descend from my cavalry, my servant whom you see yonder, is kept at bay, by an apprehension of your swords, and refuses to come up so that I am without an attendant to hold the beast; all things considered therefore, I move, a chairman not yet being appointed. who might put the question, that you adjourn, or dissolve until to-morrow about this time, when the matter may be taken up as we now have it, and the affair canvassed as becomes members of the same community, and inhabitants of the same village.

It cannot be difficult to conceive that these words had a favourable effect upon the audience ; as oils compose a storm. For as the waves of the ocean rise and fall suddenly, so the passions of men ; and in no instance more than where they are just coming to blows; for, approaching anger disposes to peace, every one having felt half a blow already on his head ; and the difficulty only is to get an excuse, for returning, or sheathing the weapon. *They are much obliged to the man that councils concord ; and advises the putting down the brickbat, or putting on the coat. Even in duelling it holds the same, and the principal is a friend to the second ever after, that manages the matter so wisely that no blood is shed.*

It was moved and seconded that in the mean time the keeper, or as he called himself the editor of the pole-cat, should keep his charge within the claustrum, or bars of his cage, and covered with a matting, so that access might not be had to him, by man or beast, or egress on his part, of that offensive odour, which had been the cause of the disturbance. This, the partizans of the skunk, were willing to admit and sanction with their acquiescence, on condition, nevertheless, that the Porcupine in the mean time, should also restrain his quills ; in other words, suspend the effusions of his press, and cease to distribute papers for a day or two during the pendency of the debate This was thought reasonable, and carried by the multitude holding up their hands.

CHAPTER II.

CONTAINING PROCEEDINGS OF THE TOWN MEETING.

THE day following, a meeting being held, and the chief burgess in the chair, an advocate of Porcupine took the ground and spoke.

Gentlemen, said he, the press is the palladium of liberty. "The image that fell down from Jupiter." The freedom of the press is essential to liberty. Shackle the press, and you restrain freedom. The constitutions of the states have provided that the press shall be free. If you muzzle this, you muzzle the mouth of man.

It is not the freedom of the press, said one interrupting him. it is the abuse of it that is in question.

The chief burgess called to order, and the speaker went on.

That is the point said he, to which I meant to come. What shall be said to be the abuse of the press? In order to determine this, we must consider its use. This is,

1. The amusement of the editor. For as some men amuse themselves, shooting, fishing, or chasing wild beasts, so men of literary taste, find their recreation in penning paragraphs for a paper, sometimes containing information, or observations on the state of

empires and the characters of men; at other times by descending, or not rising at all, but confining themselves to the subordinate affairs of indiduals, and private persons.

2. The profit of the editor: and this depends on the number of subscribers. 'It is not every one that has a taste for refined writing. Guts and garbage delight bears; and swine swill the trough in preference to the running stream. Scurrility is the gout of many. Nay, it is the more prevailing taste;

"The world is naturally averse
To all the truth it sees or hears;
But swallows nonsense and a lie,
With greediness and gluttony."

In Britain, or some other countries, delicacy may succeed. But the coarse stomachs of the Americans crave indecency, at least a portion of it. Rough like their own woods, and wild beasts, they digest scurrility.

Well said, Porcupine! said a pole-cat man, taking the ground in his turn: But this furnishes a ground to justify the introduction of the pole-cat. You talk of the freedom of the press. Here is the freedom of the express. Nay the word *expression* which is common to both institutions, the artificial one of the types, and the natural one of the cat, shews the original to be similar, and the comparison *to run on all-fours*. If the ink cast into black letter, and carrying with it pain and pungency from the ideas communicated, is tolerated; much more the volatile alkali of the animal that is now set up, is to be borne, as not more offensive to body or mind. Shall the bark of trees made into powder, and this powder into a liquid, impregnated with thought, and put upon paper, and carried to the press, be accounted harmless, notwithstanding the violence of the decoction, yet the wild cats that

inhabit these trees, and are denizens of the forest, be prohibited because of a bag under their tails which contains an unsavoury distillation, and may be occasionally spurted upon men ?

A lawyer spoke on the side of Porcupine. The principles of the common law embrace this case. It is unlawful to exercise trades in towns that occasion noisome smells ; they are abateable as nuisances.

Grant it, said a juris-consult, on the pole-cat side ; but when it is in retaliation, or in self-defence against an editor whose defamation is more offensive to the feelings of the mind, than the hogo of a civet to the sense of smelling ; or when it is used in burlesque, and by way of analogy and symbol to explain the impropriety of encouraging personal abuse, by taking papers, it may correct by leading to reflection. The mind may be insensible to abstract lessons, but a paradigm, or object set before it may affect. As to this man exercising his trade by the smell of a cat, it is an occupation which can be carried on to advantage only in a town ; for it is in towns chiefly that editors, assemble ; and it is by setting up under our noses, and affecting the readers, that the impression is made. For if the public will receive libels into their houses for the use of themselves and families, let them take a little of this hartshorn with it and if they will have the one, bear the other. A ground of the common law is general reason adapted to particular cases. I grant that it even goes so far as to make the keeping hogs in a pen near my window, in towns, a nuisance ; but this is a town incorporated, and can by a bye law regulate a new trade. I hold it to be a matter of vote whether this quadruped shall be tolerated or excluded.

The advocate for the press rejoined. The common law, said he, protects the press. It is the right of the tongue transferred to the hand : it ought to be as free as the air that we breathe : The privilege, as

unfettered as the organs of articulation. But what is there in the common law to protect from the aspersion of this animal?

The pole-cat man replied. It is on principle and by analogy, said he, that it is protected. Does not the law of water courses apply to this If a man divert a stream from my meadow, or obstruct one running through it, so as to dam it up, and drown the grass, have not I a remedy? shall this man at much expence and charge bring a beast from the mountains, tame it, or reduce it under his dominion, and apply it to a purpose in civilized and domestic life, and shall we say that the common law does not protect him in the enjoyment of its musk?

The advocate on the side of Porcupine rejoined. So use your own said he, that you trespass not upon another man's. If you keep your smell, and hogs at home to your own nose, there is no objection. But in the nature of the thing it cannot be; for the air is the natural conductor; and therefore it cannot but exist a nuisance.

Surrejoinder; but after all, is it more a nuisance than the press, which it has in view to correct?

At this instant a commotion was perceivable amongst the multitude: not on account of what was said, or meaning any disturbance like debate; but the rumour was that a fresh cat had been brought from the hills above the town, and was on its way to the college-man who had offered a reward for an additional puss to increase his stock; and as it was conjectured, meant to play it off under the pretext that the prohibition contained in the armistice extended only to the individual beast that he had before in his possession.

The Captain, at this, rising, said; this is not fair. It is within the reason, if not the express words of the convention, that all annoyances by steam, vapour or

effluvia proceeding from a pole-cat shall be suspended during the pendency of this question ; and it is an evasion to substitute another badger, and by that means attempt to elude the stipulation.

The Pole-cat man got up to explain. It is far from me, said he, to elude or evade the performance of the stipulation. The fact, is, that hearing, a day or two ago, that Porcupine, was about to enlarge his sheet, and for that purpose had employed a journeyman, more, I thought it not amiss to extend the scale of my vapour and employ two conduits instead of one. For that purpose had sent to the woods, for another cat, which is now on the way, but in a leathern bag by my directions, and not to have regress, or egress, until this assembly shall dissolve, nor for a reasonable time after, that eundo, and redeundo, or going as well as coming, you may be safe, let what will be the issue of the controversy ; whether I am to break up stock, or be suffered to go on.

This explanation gave satisfaction, and composed the assembly.

Another speaker had now occupied the ground. I cannot say the floor, for there was no floor. I am, said he, for supporting the press. The objection is, that it is a blackguard press. But while there are blackguards to write, must they not have a press ? Is it only men of polished education that have a right to express their sentiments ? Let them write in magazines, or have gazettes of their own, but not restrict the right that people of a more uncultivated understanding have to amuse themselves and others with their lucubrations. You call us the Swinish Multitude, and yet refuse us the food that is natural to us. Are there not amongst us those that have no relish for disquisitions on the balance of power or form of governments, agricultural essays, or questions of finance ; but can relish a laugh raised at the expense of the

master of a family ; or a public character in high station ; if for no other reason, but because it gratifies the self-love of those who cannot attain the same eminence ? Take away from us this, and what have we more ? What is the press to us, but as it amuses ?

I think, said another rising, that the gentleman means to be ironical. But let us take the matter seriously. I am on the same side with him, but not for the same reasons. I take it, that scurrility may be useful to those that hear it, and are the subjects of it. It may bring to a man's knowledge and serve to correct foibles that he would not otherwise have been conscious of, or amended. Men will bear from the buffoon or the jester, things they would not take from a friend, and scarcely from a confessor. It was on this principle that in the middle ages of Europe, a profession of men was indulged, in the houses of the great, called the Joculators. So late as the time of James I. we had one of these of the name of Archy. The Duke of Buckingham having taken offence at something that he said, had him whipped. It was thought beneath a man of honour to have taken notice of it ; and inflicted punishment. I consider the bulk of our editors as succeeding to the joculators of the early periods ; and as the knights of character and dignity of those times were not bound to notice the follies, however gross of jesters ; so now a gentleman is not bound to notice the defamation of gazettes ; nay, as in the former instance, it was deemed uncourteous, and unbecoming to resent what the fool said, so now what a printer chuses to publish. Selden in his table talk remarks, " That a gallant man, is above ill words. We have an example of this in the old Lord of Salsbury, who was a great wise man. Stone had called some Lord about the Court fool. The Lord complains, and has Stone whipped. Stone cries, I might have called my Lord of Salsbury often enough, fool

before he would have had me whipped." As in the case of the Merry Andrew, even when there was no wit, it was taken for wit; so now, when an editor means to divert, however dull his abuse, it ought to be the mode to laugh, to keep those who know no better in countenance.

The captain rising and putting himself in the attitude of speaking, seemed to claim the attention of the audience. I would wish to know, said he, how the ancients managed these matters: in the republics of Greece and Rome especially. For since I have been abroad, and heard public speeches, I find that it is no unusual thing to draw illustrations from the sayings and doings of antiquity. In deliberate assemblies talking of governments, they tell you of the Amphytrionic Council; the Achean league, the Ionian confederacy. What was the freedom of the press at Athens, or at Rome?

The fact is, said an academician, there was no press at these places, or in these times. The invention of printing is of later date But they had what they called the style, and they impressed their thoughts upon wax. They made use of ink in copying upon vellum and parchment. But notwithstanding the want of a press, they were not without satyric salt in their writings. Nor are we to suppose that they were altogether free from what we denominate scurrility. They could call a spade a spade. Aristophanes was a blackguard. His Comedy of the Clouds is a sufficient specimen. Lucilius, amongst the Romans was a rough man. Cum lutulentus flueret. &c. Do we suppose that nature was not then the same as it is now? On board the Roman gallies was there no low humour? In the Roman camps none? In the Forum no occasional ribaldry? Would not this naturally get up into higher walks? Would it not creep into corporations? sometimes in verse; sometimes in prose.

The poet speaks of the fesseenine verses. Amongst the Romans the Saturnalia, or days of Saturn became a festival, in which it was allowable to exercise their faculties in all intemperance of language.

This is all wide of the question, said an unlearned man, holding his hand upon his nose; it is shall we tolerate the pole-cat in this village?—For, maugre all the pains that may have been taken to restrain the pett, and confine it by a matting, I feel a portion of the fetor this very moment, come across my nose, by a puff of wind from that quarter, where it is. I move that the question be taken, whether, whatever becomes of the press, the nuisance of this beast, be suffered in the vicinity. For what can a newspaper do, compared with this? It is sent us and we read the publication. But this is involuntary, on our part, and there is no saving ourselves from the exhalation.

I move the previous question said a friend to the baboon; I move that the press be put down.

There is hardship both ways, said an elderly inhabitant. In a community different interests will exist. Family interests; family attachments; party conceptions; and party interests. To have a printer all on one side, is an inequality. What if we prevail upon the owner, or as he would call himself the publisher of the pole-cat, to give up or sell out his establishment, dismiss the wild beast, or return it to the mountains, and institute in its place, a counter press of types and black-ball that may be a match for Porcupine.

The Captain, rising hastily; a thing unusual with him; for he was naturally grave and sedate; but suddenly feeling the impulse of the congruity, he started from his seat, and seconded the proposition of another press; for said he, the very kind of editor qualified for such a press, is at hand; a waiter of mine. A bog-trotter, taken, not on the Balagate, but, on the Irish mountains: an aboriginal of the island; not your

Scotch-Irish, so called, a colony planted in Ulster, by king James the first of England, when he subdued the natives; but a real Paddy, with the brogue on his tongue, and none on his feet; brought up to sheep-stealing from his youth; for his ancestors inhabiting the hills, were a kind of free-booters, time immemorial, coming down to the low grounds, and plundering the more industrious inhabitants. Captured by traps set upon the hills, or surrounded in the bogs, attempting his escape, he had been tamed and employed, many years, digging turf, before he came to my hands. I bought him from an Irish vessel, just as a curiosity, not that I expected much service from him; but to see what could be made of a rude man by care and patience. The rogue has a low humour, and a sharp tongue; unbounded impudence. And what may be a restraint upon the licentiousness of his press, should he set up one, he is a most abominable coward; the idea of cudgeling will keep him in bounds; should he over-match Porcupine, and turn upon his employers. He has all the low phrases, cant expressions, illiberal reflections, that could be collected from the company he has kept since he has had the care of my horse, and run after my heels in town and country for several years past. What is more, he has been in France, and has a spice of the language, and a tang of Jacobinism in his principles. and conversation, that will match the contrary learning carried to an exorbitant excess in Porcupine. I do not know that you can do better than contribute to a paper of his setting up. He may call it the Mully-Grub, or give it some such title as will bespeak the nature, of the matter it will usually contain.

The academician at this came forward. I am far, said he, from a disposition to spoil sport; but when the useful is mixed with the jest, I count every point gained.

Omne tulit punctum—

I never had intended more, said the pole-cat man, than to reach the sensations of the multitude, and bring them to their senses. It is only by an appeal to the sense of feeling that the mind sometimes can be awakened. The public have now some idea that the licentiousness of the press, is not more a nuisance in the moral, than offensive smells are in the physical world. I will agree that the cat be removed, and as a substitute, shall subscribe to the Mully-Grub.

CHAPTER III.

THE day after the town meeting, the Captain began to reflect, that he could not avoid being implicated in the character of the paper about to be established. O'Regan was known to be his servant; at least to be under his influence, and he would be considered the real editor; Teague the ostensible, and though the fact was known at home, that he had nothing to do with it, yet abroad, it would bear a different construction, and refutation would be difficult. Having supported the character of a gentleman, and being still willing to support that character, how could he endure to have the volumes of scurrility, that would appear, imputed to him; or supposed to be admitted with his approbation. Uneasy with this upon his mind, he could see no way to get out of the labyrinth in which he had involved himself, by inadvertently proposing Teague. He thought it however his duty, to disclose to the bog-trotter, the office to which he was destined. Maintaining good faith, he was unwilling to make use of his influence to dissuade from the undertaking; or to deter by representing the danger that existed, and the consequences that might ensue. This he could easily have done, by suggesting the guillotine, or even a cudgeling, the more

common mode of punishment, in this republic. But good faith forbade.

But what was the amazement of every one, when news was brought, that Porcupine, had decamped in the mean time. Whether it was that the talents of Teague had been magnified, and he did not choose to engage in competition with one so much his superior, lest he should lose by comparison, the reputation he had acquired; or what is more likely, the constables were after him for debt, his press and types having been seized the day before, and sold for rent, and new demands, of a smaller nature coming against him, fines and penalties also hanging over him for libels; and damages recoverable in actions of defamation; but so it was, that he had disappeared.

The Captain was relieved from the embarrassment which he had endeavoured to conceal, because he now saw a way open to set aside the idea of a press, which he had reason to apprehend his bog-trotter would not be competent to conduct with reputation.

Townsmen, and fellow-citizens, said he, seizing an opportunity to speak, the reason has ceased upon which we had proposed to act: the setting up the bog-trotter in the capacity of an editor as a match for Porcupine, for he has disappeared; and what need we buff at the bear when there is no bear to buff at. Unless indeed we could set him up, expecting from him a chaste and pure paper containing solid information, and strictures useful to the republic But that from his education and manners, we have no reason to expect. It is true, if he had sense to collect the ideas, and give them expression, he has had opportunities to observe what if known and digested, might essentially serve to preserve from extremes in a free government. He has

seen the folly of the people of France, if, those occasionally thrown into the representative assemblies, could be called the people. He has seen the folly of these in reducing all things to the first elements instead of accommodating to existing establishments; of deracinating from the foundation church and state, and bandying the term liberty until ignorance and usurpation terminated in despotism. For though at the commencement of a revolution, active and uninformed spirits, are useful, or perhaps absolutely necessary, like the subterranean fire throwing up continents; yet as in this case, the fostering dews, and the breath of the atmosphere, are necessary to give soil and impregnate with vegetation; so after the stirrings of mens minds, with a political convulsion, deliberate reason, and prudent temperament are necessary, to preserve what is gained, and turn it to advantage. But this sans culotte, for so he was called in France; and well he might; for he was without femorals when he went away, and when he came back; this sans culotte is not a Mirabeau. He has kept no journal: he has made no observations except of mens heads chopped off by the guillotine. He has brought back little with him, but ce que dit; que ce vous la; donnez moi, and such like. I think we are well off with him and let him go to his vocation.

OBSERVATIONS.

THE preceding chapters were written some years ago, while an editor of the name of Cobbet, published a paper under the title of "Porcupine." But the breaking up of that paper in a manner similar to that just stated, prevented the going on with the allegory, or the handing to the public by the way of the press, in some shape the pamphlet begun. Some time since, the appearance of a certain Callender, in a paper under the title of the Recorder, had induced me to look at what I had intended for Porcupine, and to think of continuing it to some point and winding up of the story; but the man drowning himself, or being drowned by accident, stopped me in my intention, as it would be like throwing water on a dead, or as the proverb is, a drowned rat, to say any thing that had a relation to him.

But having a little leisure on my hands, and in warm weather, liking light work, I amused myself with saying some things that were on my mind on other subjects, and I thought I would make this which I had already written, the introduction. For the fact is, that I mean this tale of a Captain travelling, but as a vehicle to my way of thinking on some subjects; just as the ancients introduced speakers in a dialogue, occasionally at banquets; or as the philosophers in their walks and conversations, moralized in parables, and feigned cases, a way of reasoning, and address-

less offending the self-love of men than what has the appearance of immediate and direct instruction. Nor, will the publication of the foregoing hints *on the illiberality of the press*, be thought, even now altogether useless; for though since the death, or departure, of the two monsters just named, there has been an ebb of this flood of scurrility, yet dropping the figure, the American press, has not been wholly free from the stains of the like paragraphs. The application therefore may not be wholly without an object, and, in the painting there may be seen some existing resemblances. For though, as the almanac-makers, say "it is calculated for a particular meridian, yet it may without sensible variation, serve other latitudes." No man can have a higher opinion of the dignity of station occupied by the editor of a paper under a free government, than I have I think it one of the most honourable, as well as the most useful in society. I am unwilling therefore that it be degraded, and I am happy to observe that the example of the two monsters mentioned, has had the effect to disgust the public.

I take the pulpit, the courts of judicature, and the press, to be the three great means of sustaining and enlightening a republic. The Scripture is replete with the finest sayings of morality. With a scholar of the Latin and the Greek school, it is delightful to quote in conversation, or writing, the classical sentences of antiquity, aptly applying them to the occasion: enriching the discourse with apposite thoughts; pleasing the hearer, or the reader, and doing credit to the person himself; drawing out from his treasury, things new and old. But these writings of an oriental cast, contain pithy observations upon life and manners, than which there can be nothing more delightful to remember and quote, and more profitable to carry into practice. Reading the Scriptures by young peo-

ple ; hearing them explained and introduced by quotation, sermon and lectures from the pulpit, raises the affections to virtue, and helps the judgment in the conduct of life.

The courts of judicature, are a school of justice, and honour. A great ground of the law, are the principles of universal justice. The discussion of council ; the verdicts of juries, the decision of the courts, have respect to the great principles of moral honesty. But the sphere is confined, compared with that of the press, which has an extensive range ; and for this reason ought to preserve the greater delicacy in language and sentiment. Even the war of the sword has its laws —It is not allowable to poison springs, or the means of life. In a paper war nothing is justifiable that does not tend to establish a position, or determine a controversy ; that which outrages humanity, is the cruelty of a savage who puts to death with torture, or disfigures, to gratify revenge.

To know what may be said in a paper, or in what manner it may be said, the editor whom the public alone knows, need only consider what would become a gentleman to say, in promiscuous society. Whether conversing in the manner he writes, or in which, what is inserted, is written, he would be heard with respect, and treated with civility. Good breeding is as necessary in print as in conversation. The want of it equally entitles to the appellation of an ill-bred-man. The press can have no more licence than the tongue. At the tribunal of common sense, it has less, because an expression might escape a man, which might receive pardon, or excuse, as the offspring of inadvertence ; but writing is deliberate, and you may turn back and strike out the allusion, or correct the term.

National character is interested in the delicacy of the press. It is a disgrace to a people to have amongst

them volumes of scurrility circulated through their post-offices, with a peculiar privilege of centage, placed upon the benches in our public houses, or sent home to our private dwellings.

Is this the occupation to which it ought to be an honour to belong, to which a father would wish to put a son, having educated him with the best advantages, and giving him, as he had thought, a duty as sacred as the priesthood, and with a more exclusive sphere of action than the barrister; having it in high commission by the constitution of his country, "to canvass the conduct of men in public offices," and inform the public, "where the matter is proper for public information."

It does not follow, that because a man takes a paper, that he approves of all that is in it. It is certainly censurable to continue our subscription to a paper, the prevailing tenor of which is defamatory of individuals; but were we to reject a paper because it is occasionally so, there are few papers that we should take at all. The American press, has been abominably gross, and defamatory, and there are few publications of this nature, that have been at all times unexceptionable. A man will be astonished sometimes to hear of himself, or of others, what has not the slightest foundation, but in the invention of the paragraphist. There may be some prototype, filmy origin to the unsubstantial fabric; perhaps not even a vapour, but in the breath of the defamer. Is the assassin odious, and not the author of anonymous abuse? Yet such is the error of opinion with some, that they think it not dishonourable to attack anonymously. It is cowardice in a free country, where the law is equal; where no Cæsar exists to make it necessary to conceal the author of the pasquinade. A brave man will scorn subterfuge, and shade. An honest man will avow himself and his opinions.

CHAPTER IV.

NOTWITHSTANDING the Captain thought he had got quit of Teague, in the matter of the press, he had still some trouble. For the bog-trotter was dissatisfied. He had an hankering after the editorship, and talked of taking up subscriptions. To put him off, the Captain suggested the publishing his travels Teague, said he, if many a man had what you have in your power, he would make a fortune by it. You have been in the Conciergerie. That of itself, might make a chapter that would fill a volume. If you take up subscriptions, why not for such a work as that? It will sell for a ready penny these times; I would advise you to go about it.

Och, on my shoul, said Teague, but it would make a book as big as the praists' bible, if I was to tell all dat I saw on toder side de great water. In dat great country, old France; where de paple talk all at once wid de brogue on deir tongues, and say nothing. De devil burn me, but deir foutres, and parbleus, would make a book, as big as a church staple.

Well done Teague, said the Captain; you must then set about it. The first thing it will behoove you to consider, is the manner in which it will be written; whether your narration shall be in the first person, as,

"I did this," and "I said that;" or whether in the third person, as it were one speaking of you, as, "O'Regan having done so, and made an observation to this effect." And whether it shall be in the way of continued narrative, with chapters, or in the shape of a journal, or be cast in the way of letter. For all these modes of writing are used as best suits the traveller; or may be thought most pleasing to the reader. One advantage you will have, that you need not stick pertinaciously to the truth; for travellers have a licence to deviate; and they are not considered as on oath, or upon honour in giving their accounts; embellishment is allowable. Some illumination of the narrative: though, confining yourself to the truth strictly, I make no doubt, your story will be sufficiently extravagant, and of course, border on the marvellous.

The fact was, that the bog-trotter had incidents sufficient to enliven his history. He had been in the suit of Anacharsis Cloots, and personated an Esquimaux Indian; he had been taken up in a balloon some distance from the earth, and let down by a parachute, instead of a sheep. It is true, this was not with his own consent, but by force; the Parisians thinking it of little account whether the experiment was made with him or a less valuable animal. It is true, to make amends for this, a royalist lady fell in love with him, thinking he had a resemblance to the young Duke of Orleans. He had made a fortunate escape in the conciergerie. A prisoner in the next cell, No. 1, finding the letter G, put upon his door, which stands for guillotine; exchanged for a few louis's with O'Regan, No. 2—But an order came to reprieve No. 1, and to take No. 2, meaning the bog-trotter. The consequence was, that the Frenchman was put into the cart, and our sans culotte escaped.

It would make a book, to exhaust these particulars, and many more that occurred. The Captain having recommended the work, was concerned to have it accomplished with some credit to those concerned, and therefore thought it advisable to give the author some hints before he entered on the task.

Teague, said he, the first thing to be thought of is a place to write. The extremes are two, the cellar and the garret The cellar was chosen by an orator of Greece, to write his orations, or at least to prepare for the writing them; for in this, he is said to have copied over eight times the history of Thucidydes. Whether it is the darkness, or the solitude of the cavern, that is congenial to the talent of writing, may be a question. I should think, however, that the ærial mansion of a garret is most favourable to the lighter species of writing, such as madrigals; or paragraphs in magazines, or novels. But as yours is a serious work, it may be above the subterranean, and below the firmament. Perhaps a middle story may suffice It will depend, however, on your head. If you find yourself light, go down; if heavy, mount; and thus adjust your apartment to your feelings. The wasps chuse the garret; but the spider is found in the cellar; and his weaving is an emblem of the composition of an author.

As to stile, just write as you would speak, and give your account with simplicity, without affectation; understanding your subject well, and using no more words, than is necessary to express your meaning.

As to paper, whether common or woven; or as to type, whether single or double pica; these are terms I do not understand. I see them in the advertisements, and that is all I know about them Whether duodecimo, octavo, or folio, will depend upon the bulk of what is to be printed.

CHAPTER V.

THE Captain had now been more than a month at home, making enquiry into the history of the village; what changes in the domestic affairs of his neighbours; what good or bad fortune had happened to individuals, at the same time walking through the town, and observing the improvements or dilapidations in the buildings or streets. It was obvious that little attention had been paid, for some time, to public works; the pavements were neglected, and the ways and water-courses suffered to fill up. An aqueduct begun, to bring a spring from the hill, was left unfinished.

What can be the reason of all this, said he, to the citizens?

It was answered, that the chief and assistant burgesses had been extravagant; that the works, which, by the charter of incorporation they had a power to project, were extensive, and the consequent taxes which they had a right to impose, and which became necessary, were thought oppressive. The people had left out these officers at the annual election, and chosen new. That these wishing to preserve popularity, had let all matters rest, and had neither made improvements, nor raised taxes.

And will this please always. They have turned out one set for doing too much; and they will turn out the other next for doing nothing.

But why not hit a medium, said the Captain?

A difficulty occurs, continued the speaker. In the works projected, the people insist that no man shall be consulted in his own occupation. The mason shall make out the bills of scantling; and the carpenter determine the arches of a stone bridge.

That is, said the Captain, as in a city that I passed through in my travels. The physicians claimed a right to judge of laws, and the lawyers of physic. Reversing the maxim, that every man is to be trusted in his own profession.

This is republicanism run mad. The sovereign people would do well to imitate other sovereigns, at least in this; that they trust even foreigners in the arts, and not by an unreasonable jealousy, loose the advantage of judgment, which it is not in the nature of things, that they themselves can possess.

Political divisions will always exist. It is inseparable from the nature of a community. And it is not in the nature of things that the power can be long on one side. *The duration depends upon the judgment of using it.* The people will revolt from themselves when they find they have done wrong, and that side which was now the weakest will become the strongest.

Accounts were received, and Teague himself occasionally announced that he had succeeded in taking up subscriptions for his commentaries. But it had never occurred to any one that the bog-trotter could

neither read nor write. But the difficulty now presenting itself, a school-master offered his services to be his amanuensis.

But amongst the advertisements on the tavern and shop doors, the Captain observing one day a notice of the want of a suitable person in the academy to instruct in the French language, he was led to reflect, that after dictating his publication, Teague would be out of employment, and that a vacancy of this kind might tally with his faculties, having been in France, the very country where the language was vernacularly spoken; that his attainments must be much superior to those who had acquired the tongue only from dead books, the ear not accustomed to the sounds of familiar conversation.

Losing no time he waited on the Principal of the Academy, and gave him an account of the pedeseque, and of his pretensions.

The Principal was astonished; but concealed his surprize. He could easily comprehend the incompetency of this man to teach the language in a school of learning, where it is expected to be taught grammatically; and the absurdity of taking his lingo, for French, if he had the brogue in that pronunciation as he had in English. But it might not be so easy a matter to convince the Captain of this who appeared to have an undue opinion of his acquirements. Nevertheless he endeavoured to make himself intelligible on this subject, by observing that there was a wide difference between a public professor in a college, and a private tutor who attends pupils occasionally: that in a seminary of learning the rudiments of a language were usually taught by rules; and it was an object to understand the parts of speech into which the tongue was divided; the use of the articles, if there were any; the inflexions of the cases, the vari-

ations of the genders, the conjugations of the verbs; the concords of syntax; and after all this the idiom, or peculiar phrases, and structure of the sentence: that from what the Captain had informed him, and what he himself had gleaned from others, of the characteristics of this subordinate, the academy was not his province, but the village. He might employ his talents to advantage, instructing young gentlemen and ladies in the knowledge of the French tongue, at their own houses; with a grammar, and without a dictionary; or without a grammar; and with the voice and diction only. For in fact it was of little consequence how they were taught; for they would learn nothing: and barbers and tumblers that had come in and undertaken to instruct; had done as well as wiser masters; for they had amused their pupils; and amusement was all that pupils would be willing to receive. Enough if they can get a word or two that sounds like French, to throw out to a lady in a dance; as parlez vous madame; or s'l vous plais.

It may be a digression, said the Captain; but it is a profitable lesson. Do you conceive that the American youth are too hastily manufactured, and come forward too soon into life.

Unquestionably, said the Principal. Education here is unnaturally hastened. Our minority is too short to make a great man. We "overstep the modesty of nature," and suffer our young men to come forward into councils that require the heads of age. Hence our juvenile speeches in debates. Hence the wild fire in our councils. The young gentlemen of the village are above learning; as soon as they have got on a pair of pantaloons, and half boots. They are out of their education, and *men before their time*. We had an election the other day; for a chief burgess. It was a matter of astonishment to those of the old

school, to see a youth come forward, born after his competitor had been ranked with the sages of the village, and claim the suffrages of the citizens. It had an unfavourable effect upon the very dumb creation. It was not enough that the lads under age, began to raise their voices, and vociferate ; but it seemed that the young of animals had gained upon their growth, and were old before they had attained maturity. The young dogs barked more ; whether it was from an impression of the atmosphere ; or an imitation of the sounds of men.

CHAPTER VI.

TO give the bog-trotter time to write his history, the Captain turned his attention for a while to other objects. There was an old lawyer in the village that had left off practice, and accompanied by a blind fidler, gave lectures occasionally, at what he called his inns of court, on the practice of the law, of which he pretended to have had great experience; and in fact he had been a long time at the bar; and from age was now unfit for the circuit, especially being blind, and unless in a carriage, which the roads did not well admit, could not conveniently go abroad; and the small practice of the village, scarcely sufficed for the occupation of his time, or the means of his support. The want of sight rendered him incapable of conveyancing, and all he could do was to give council, or argue a cause by which he made a penny; but to fill up his time, and put his learning to account, he had set on foot lectures for young students, and amused himself at intervals with a tune on the violin which the fidler played, and for which the by standers threw in a five-penny bit of silver, such of them as did not attend to the law lecture, or could derive any benefit from it. Thus, clubbing their talents, and joining in amusement, and in business as

joined in the loss of vision, they made a living; the scraper receiving his six cents and a half for his tune on the instrument, and the lawyer the same money for his breath on the abstract subject of the study and practice of the law.

It may be asked how it came to pass, that he could lay down the principles of a successful practice in a profession, and at the same time not to have become enriched by it himself, so as to be above the necessity in his old age, of making money, by the best means in his power to procure his support, the profession being lucrative itself, especially where any one excels in the knowledge of it, and is ordinarily industrious in the pursuit. But the answer is easy; that the making money and keeping it are two distinct things: for so it was, that this lawyer now blind, had let a great deal of business go through his hands, without making much by it; from a want of skill to make money stick. He thought always more of gaining the suit and the praise of managing it well, than of the fee. Hence it was that he had credit as a pleader, but not as the maker of a great estate.

It is doubtless a general rule that the way to be rich is to excel in your profession, and whoever excels may in general be rich, and it is a folly not to make this use of it. But we see that with all the lovers of the arts, painting, music, statuary, eloquence, there is a neglect of riches, the mind carried off from the love of money, and placed upon the art itself. The main chance is overlooked; and it is only late in life that the folly is discovered by the person himself, though others had been remarking it all his life long. But though not profitable to the professor, to cultivate an art for its own sake, yet it is useful and pleasing to the world; and Quintilian who has left us a book on the eloquence of the bar, is more valued, be-

cause he has given more pleasure to those who have come after him, than others who had made perhaps more by their practice, but whose memory has gone with themselves, at the same time that their estates went to others.

As a sample of the lectures of the blind lawyer, we shall give the following.

THE LECTURE.

IT is necessary to comprehend perfectly the facts of the case, and this to enable ;

1. To frame the action ; trespass, or trespass on the case ; &c.

2. To frame your declaration : that is, to put a precise statement of the cause of action upon the record.

3. To examine the witnesses, preparatory to the trial.

I say nothing of the science necessary to draw a declaration ; though there is great delicacy and beauty, in making a legal statement of your cause of action with brevity, perspicuity, and technical correctness. Nor do I mean to touch on the vigilance on your part or liberality, to your adversaries, in conducting the cause to issue and trial, taking rules and giving notice. This is not the stage where all advantages are fair. These are preliminaries to the contest, and as in the wager of battle the combatant makes oath, that he uses no enchantment ; so a liberal lawyer will disdain to avail himself of an oversight, or take a catch which has no effect upon the merits of a cause. If he observes a defect which it becomes necessary to amend, in civil cases, he will point it out and give leave to do it. This I grant he is not bound to do ; but it is for the credit of the profession that such liberality should be cultivated, and justice will lose nothing by

it. Strict rules of pleading, strictly pursued, are not inconsistent with this liberality! Professional men, can understand the boundaries and distinctions. It is not within my present compass to go into them.

Preparatory to the trial; a great point is, the examination of the witnesses to be adduced by your client; such of them as are willing to say what they know, prior to their being called in court. It is of moment for you to know what you can prove by any one of them, that you may bring them to the point immediately; and save the time of the court from impertinent relation. It is necessary for the sake of your client to sift them well, and know the testimony they are about to give. The council above who has thus sifted them, should undertake to examine. When the conduct of the cause, rests with me, and the responsibility, I would suffer no assistant to ask a question of my witnesses Let him take his turn, and fill up his part in cross examining the witnesses of the adversary. When the testimony is closed in a jury trial, the cause is usually lost or won: and a single question injudiciously put, may have been the cause of losing it. Yet there is nothing more difficult for a leading council than to restrain the impetuosity of his associates, and their avidity to ask questions.

It is a matter of great judgment when a witness has answered well, to let the answer rest. It is favourable to truth to let it rest; for by putting it again, and again, you confuse the mind, and you may get the very reverse of what he had before said; or at least you may get it so disturbed, as to be unintelligible, and do you no good.

If it occurs to an assistant council who has not previously examined; that a question may be put with advantage, he can suggest it to the leading, or examining council, and leave him to judge. The wish of

seeming to be doing something for his money is the cause of that propensity to interrogate that prompts improperly to take up the examination.

The taking down the testimony is so managed as to consume time unnecessarily in our courts. All concerned in a cause, must take down and wait for all. The testimony must be taken down as if it was to be read again to the court, or sent to the jury in the style of a written deposition. Unnecessary matter is taken down; for there are seldom more than a few sentences in the testimony of a witness that are material to the cause. But it is to seem very busy, and doing something for the client, where in fact nothing is done that leads to an ostentation of taking down, even where there is nothing to take. I have actually known this to take place at the bar.

Well; what do you know of this matter?

Why, in fact, I know little about it.

Stop, stop a little, let me take that down.

Well; you say you know little about the matter.

Nothing at all—only—

Stop, stop, let me take down what you have said—

A thing like this exhausts the patience; yet it is difficult for a court to correct it. It must depend upon the good sense of the council themselves, to select, and confine their notes to what is of substance in the evidence.

The greatest effort in the management of a cause, is the taking exception to evidence. For this purpose, it is necessary that from the commencement of the trial, the leading council lies by; thinks much; says little; bends his whole mind, to preserve himself unruffled: sets forward the junior, and assistant council to spar where it may be necessary; to make prolusions, and gain time.

As for instance; a piece of evidence is offered. It strikes the leading council, that exception lies against it. But he is not clear; nor is he prepared to support the exception. An assistant council takes the exception. It is run down and completely answered. Not a word more: but the leading council has had time to consider.

If he had not thought proper to give it up; he would have risen in full force.

And if he had been answered with some shew of reason, the assistant would have rejoined, and done justice to the argument. For let it not be thought that though I mark the parts of the assistant council, I do not well know that the greater lawyer, may have the subordinate part assigned him; or may fall into that place, in the management of a cause, on the trial. The greater general may happen to have the command of a detachment only; or be employed to bring on, or relieve, in the course of an engagement

For law is an image of war; and as in war, the greatest praise, is to discharge your duty wherever it may be assigned; so, on a trial. A column standing still, and never brought forward, or discharging a shot, but simply keeping ground, may have done the real execution, and gained the battle. A thought suggested is sometimes more than an argument.

But, nevertheless elocution has its place, and noble praise. It is delightful to hear one speak well where he ought to speak. "The words of the wise are like nails; fastened in sure places." Great indulgence must be made, for young pleaders; but I have it not in view to treat, not of what is to be indulged; but of what is to be approved. Brevity is the soul of eloquence, and amplification, the usual fault. Few err in saying too little. Tediousness is the more common extreme: padding, and beating on the point.

After a passion is excited, there is danger of "tearing it to rags."

The opening of the case, before the evidence is introduced, is a matter of some delicacy; and a principle is brevity; and stating the proper proof, rather below what it will turn out. When disappointed in the expectation raised, the mind is dissatisfied, and with difficulty can do justice to what is proved. It is in the application of the evidence that eloquence finds her province at the bar. And yet here it is that less harm can be done by weak or unskilful advocates, than in any part of the contest. The court and jury are attached to the evidence. The mind is stedfast upon this, and if a flourisher runs off; he may talk; it is only a loss of time. It is here that less experienced council may be suffered to amuse themselves; and can do little harm, more especially if there is some one to follow to review the facts, apply the law, and clench the argument. The harm that can be done, is to weary the mind, and relax the spring of attention. This is mischievous; but cannot well be prevented. The council must be heard. But there is much less danger to a cause, in this, than from an injudicious touch in the conduct of it, through the evidence.

With regard to reading authorities in the opening, or reply; or in the conduct of the trial generally, I have but a single observation. It is better to adduce no authority, at all, than one which has a doubtful application, because it brings in question the discernment of the council; and gives an opportunity to the adversary, to flourish and run down General reason, is a safer ground, than doubtful decisions.

CHAPTER VII.

A great uproar had, in the mean time taken place in the village. The doctrine of abating nuisances, had been much in conversation, since the town meeting in the matter of the pole-cat. It came so far, that an incendiary proposed to abate, or burn down the college. Because, said he; all learning is a nuisance.

A town meeting had been called on the occasion; and whether from a wish to see a bon-fire; or from the hatred of the ignorant, to all that places the informed above them; the proposition however unreasonable and illegal had its advocates. It had been actually carried, and a person was now on his way with a brand lighted to set fire to the building.

The alarm was given; and the more considerate rushed out to endeavour to prevent conflagration.

Force was vain; and reason avails little with a mob. The only way to oppose their resolution is indirectly by turning the current of their thoughts aside and to the attaining the same thing in another way. The principal and professors had harangued in vain It was threatened that if they did not stand out of the way, they would burn them, with the college.

The Captain had come up; and venturing to speak; gentlemen, said he, it is not for the college that I am about to speak; it is for yourselves; your object is to put down learning; and do you not know that it is put down already. Why will you do a useless thing? It is calling in question your understanding, to do a needless mischief.

Is not learning put down already? the methodists are the best preachers. Take a horse jockey and in two weeks from the jump, he is in a pulpit. No need of Latin, Greek, Hebrew; a pollyglot bible; systems of divinity; a commentary, a treatise, an essay, or a dissertation: all is plain sailing now.

All this tends to put learning down, so that you have all the advantage of this, without the trouble. Why burn the college?

The building will serve useful purposes, when the professors are driven out of it.

Politicians say, that though they have no learning, they feel no want of it. Is it to be supposed that a workman does not know whether he wants tools? All this ends when learning and law are put down. Trial by battle must regulate society. We shall then want barracks and hospitals. This building will accommodate invalids.

I do not know, said a sedate man among the crowd, whether after all, a little learning may not be in some cases, useful. *It is a great help to weak people.* I have seen a book, entitled, *Hukes, and e'en to had up crippled Christians breeks.* That is hooks and eyes to hold up breeches. Alluding, by the bye, to hooks and eyes which were in use before buttons. What are called gallowses, have succeeded to the assistance of buttons, but have not altogether superseded them. Not that I mean to insinuate that the disuse of hooks and eyes, lead to the gallows in the proper sense of

the word, any more than that learning does. Though many a man that wears buttons has been hung. Perhaps more without buttons, than with them. But I mean to say that a young man, before he comes to the years of discretion may as well be employed in learning to make marks upon paper, as playing at nine-mens-morrice, and it does him no more harm to try to read Greek, than to trace partridge tracks. The mind must be employed in something to keep it out of harm's way, and reclusion in a seminary is useful, if for nothing else at least to keep young people within doors, which the academician could not easily do, unless, the device of books was used to beguile the hours of study. And though a great part of their learning, is but the knowledge of *hooks* and *crooks,* yet the exercise of the *mind renders them more expert in thinking ;* and though Latin is of no more use to raise the devil than English, now a days ; yet it is a gentle exercise to learn it, and makes the boys grow faster. It keeps them from their mothers who are apt to spoil their offspring by too much indulgence. The idea of getting a task, accustoms the mind to obedience. Now there are some branches of science that are really useful, such as speaking and writing intelligibly, and casting up accounts. Nor is the time altogether thrown away in learning mathematics, especially the theory of the mechanical powers. Some are of opinion that this study has been of great use in navigation, and water works. The ancients found their account in it, in the construction of the Catapult. But, at least, what harm, in letting pedants chop logic, and boys laugh, in the seminaries ? A herring pickle, or a Merry Andrew, is allowed to amuse people, and we do not pull down their stalls. A ventriloquist is suffered to take his dollar from us, and we make no remonstrance. Lec-

tures, on moral philosophy are at least as innocent as this. I do not know any better recreation for a lad of mettle than to listen to a dissertation on eloquence, or a discourse on chronology, and history. It sharpens his wit to talk over affairs with his equals. But there is one reason that serves for a hundred. It is not every one that is born a genius, and can do without the help of education. I am therefore for continuing these crudities a little longer. When we can afford it better, we can pull down the college. This speech had a good effect, and the mob retired.

But before they were aware, the flame had broken out in another direction. The mob retiring, had entered into altercation amongst themselves, and began to blame one another. Some, for not going on to burn the college, and others, for having thought of it at all. In opposition to the last, the first grew outrageous, and began to exclaim, and to curse and to swear, and said, damn them, but if they had not burned a college, they would burn or pull down, a church. They had actually prepared faggots, and were on their way a second time, to execute a new mischief.

The alarm was given, the chief burgess, and assistants, and respectable inhabitants assembled! Great reliance was had upon the Captain, from his success, in the former instance; and when the two forces, that of the mob, and that of the community stood face to face, and were in opposition, ready to fall on, the one to commit waste, and the other to defend, he was called upon to come forward and harangue.

He obeyed instantly, but was well aware that a stratagem in war cannot succeed a second time, and therefore instead of attempting to decoy and turn aside their passions, thought proper to attack them directly by the opposite, fear. Madmen, said he, what do you mean? Is it to rob, plunder and murder that you

have assembled? Come on; but in coming you must meet with this weapon, brandishing his hanger; I am alone; but a legion is behind me and will be with me speedily.

But as I am at all times averse from the use of force until it becomes necessary; I am willing in the mean time to hear reason. Why is it that you would pull down a church, and abolish the christian worship in the village?

It is not our intention to abolish christianity, said a grave man amongst them, but to put down the preacher at this place; who is not an American republican, but quotes the English commentators in his sermons, Henry's annotations on the Bible; Burket on the New-Testament; Pool's Synopsis, Tillotson and Baxter, and many others. We wish to abolish these, and have nothing but our own commentaries. Are we to be drawing our proofs from under a monarchy, and refering to tracts and essays published in Great Britain? Have we no sense of our own to explain texts of Scripture, and apply doctrines? It is time to emancipate ourselves from these shackles, and every man be his own expounder, or at least confine our clergy to the Bible and the Psalm book, or such of our divines, as have written amongst ourselves, and are of our own manufacture in a republican government.

Religion, said the Captain, is of no government. Wines are the better for being brought over seas, and our best brandies are from monarchies. Where was the cloth of that coat made? Will you reject a good piece of stuff because it came through the hands of an aristocratic weaver? These are false ideas of what is right, and useful to mankind. The common law is not the worse for having been the common law of England, and our property and birth right which our

ancestors brought with them; nor is our Bible the worse for having been translated under James the first of England, which translation we still use, and from which we repeat all sentences of Scripture. Nor are systems of theology, or harmonies of the evangelists the worse for having been written in another country. Why do we use the English language? Is it not because we cannot easily substitute another; or have no better to substitute. The Shanese, or Delaware, or Piankisha, may be softer, but not so copious or of equal energy and strength. But even if in all respects superior, can we by an act of volition, transfer it into common use and make it all at once, our vernacular tongue?

The grave man made no answer; but the more violent were still disposed to pull down the church.

At the alarm created by the uproar, the pedagogue, and the pedeseque, who had in the mean time been engaged in composing the book, had run out, and left the manuscript in hands, on the table. A wag stepping in, had written an addition to a chapter. And coming back, the school-master had resumed his labour, without observing it. The chapter in hands was that which gave an account of his ascent in a balloon; and the addition was as follows:

——"Passing a cloud, I put out my hand, and took a piece of it, and squeezed it like a spunge, and the water ran out. The sun went north about; but never set. At the distance of about fifty leagues above the earth, we saw a white bird sitting on the corner of a cloud. We took it to be one of Mahomets pige-

ons. If we had had a gun we could have shot it. Passing by the moon we saw a man selling lands at auction. He wished us to give a bid; but we told him, we had not come to buy land in the moon. We came across a comet, but it was asleep. It looked like a tarapine; but had a tail like a fox.

The balloon struck a wasp's nest, and we were in danger of the stings.

Coming near a hail bank, we filled a hat: the hail stones were about as large as a pigeon's egg.

A thousand miles above the earth we passed through a field of turkey buzzards. This would seem to be their region; and accounts for the circumstance, that no one has ever found a nest of one of these. Their rookeries are out of sight, in the atmosphere.

As we approached one of the heavenly bodies—It appeared like an island. We struck upon a planet, but Blanchard got out and pushed off the balloon. We supposed it to be Mercury, as we heard orators haranguing, and a multitude of tongues.

There were marriages going on in Venus, and in Mars, we heard the drums beat.

In Jupiter we heard swearing, Proh! Jupiter; O! Jupiter! by Jupiter.

We meant to have a pull at one of Saturn's rings, but were blown off the coast, and found ourselves in the latitude of Herschell. Provisions failing, we thought proper to shape our course to the earth again.

The first thing we saw was the forest of Ardennes, which appeared like a shamrock; the Pyrenean mountains seemed a bed of parsley, and the Atlantic Ocean, was about as large as Loch Swilly.

Within about a furlong of the earth, Blanchard gave me the parachute, and I came down. It was in a field of corn among reapers. They took me for a

sheep, and thought to have mutton; but finding their mistake, they invited me to breakfast.

TEAGUE with his amanuensis returning, resumed his memoir, not observing the interlopation which, in the mean time had been made. Some have thought it was the best chapter in it. At least it is the most extravagant.

CHAPTER VIII.

HAVING now a little time upon his hands, the Captain thought of repeating his visit to the blind lawyer, and fidler; and happening at an interval of the blind man's lectures he drew him into conversation, on the subject of the law. What is this common law, said he, which you speak of, and why cannot it be abolished? The common law of England! why not a common law of our own; now that we are an independent government?

It is our own common law, said the lawyer. We derive it from a common source with the inhabitants of Britain. Shall the people on that side the water alone possess this jurisprudence, which our common ancestors possessed, just because we have left the island? It was because our birth-right to this law was questioned that we resisted in war, and declared our independence. The right to representation is a principle of the common law, and this right was denied to the colonies. The right of trial by jury is a principle of the common law, and this in some cases, was abridged, in others, taken away altogether. On what ground were these defended; on the ground that they were our inheritance by the common law.

But why called common law? It was so called as distinguished from the laws of particular places. It was a system common to the whole people. The term came into use after the heptarchy.

A ground of this law is reason; or the principles of universal justice. The application of these principles to particular cases, forms a great part of the common law: the application of the principles of justice to that infinity of cases, which arise on the intercourse of men in a state of society: obligations independent of contract, or contracts themselves. We read the decisions in such cases, because the reason of those who have gone before, is a help to those that follow.

Rules of pleading, rules of evidence, the practice of courts, are the result of experience, and our own; or adopted by us, as a part of the common law. This law forms a system begun in the woods of Germany; taking its rise amongst our Saxon ancestors, it was brought with them into Britain; receiving accessions from what it found good in the island to which it came.

Abolish the common law? why not abolish the art of medicine, because it has been cultivated in Great Britain? Sydenham, Harvey and Mead, are thought to have added to the science. The British chymists, have increased the materia medica. Why not make war upon the apothecaries, because they sell English drugs?

Just at that instant a hurly buly was heard half a square distant; people rushing into an apothecary shop, and jugs thrown out at the window. It was a mob collected to break up the Doctor.

A Latin master from the college, lifting up his hands in the attitude of a man attempting to ring a bell, was endeavouring to appease the multitude, in such address as was on his tongue from the classic authors: cives, cives, quis furor vos agitat! vesania quæ versat! quæ dementia cepit! Infelix pecus! oh! heu! proh, hominum. Insanire decet, ratione, modoque.

It availed nothing. The outrage was continued. Glass and earthen ware, broken; powders and liquids filled the atmosphere with vapour, and a variety of smells. Ah! said an orator, it is full time to return to the simplicity of early times, when men had recourse, in case of internal diseases, or external wounds, to the barks of trees, or the plants of the fields, and had not yet become acquainted with extractions and decoctions put in phials, and called drops, to make the well sick, and poison the living.

It would have made a good drawing in a picture, to have seen the apothecary at work, in the mean time, endeavouring to clear the shop, with a cudgel, sometimes pelting a rioter; at other times breaking the head of one of his own jugs.

A preacher stood by exhorting to carry on the work. He had taken a text. "There is a time to build, and a time to pull down." He thought this a pulling down time. The greater part of his audience appeared to think him orthodox, and were shewing their faith, by their works, at the expence of the dispensary. Good God, called out the son of Esculapius, will no one assist? shall I be ruined? The industry of years dissipated in a day: all my laud-

anum, my pepper-mint, sulphur, vitriol, oils, acids, my tartar, and arsenic ; all gone to pot, or rather the pots gone with them, jars, jugs, and glister-pipes : what devastation ! what havock ! Is it for sport, or for profit ? Oh ; the folly, the fury, the madness of the populace ! They are indeed the swinish multitude. A herd of swine in a century, would not have done so much damage.

At this point of the game, whether by design, or accident, a cry of fire had been raised ; and the fire company with their engine and buckets were up, and began to play upon the building, throwing the water in at the windows, and at the door, so that the people in the house, and the Doctor himself were as wet as rats, and occasionally the pipe carried round with a sweep, came upon the by-standers without. The preacher got his Bible wet, and his Psalm book ; and the Latin master called out " Jam satis terris ;" or that there was rain enough ; and the orator, thought it a new way, of quelling mobs. The Captain said he had seen something of the kind attempted in repressing bees, when they swarmed, throwing water on them, and that the riots of men were analogous.

But what can they mean, said a peace officer by attacking this mans boluses ? Do they mean to put an end to the practice of physic ? among the savages they attribute aches, and pains in the flesh and bones, to a bad spirit that has got into the muscles, and the tendons, and by rubbing with the hand, and pressing the parts they endeavour to expel it. The chaffing has sometimes a good effect, and if there should not

be an evil spirit to drive out, it eases and relieves from the complaint. But though exercise and temperance may preserve health, and cold and warm bathing, and friction of the joints may relieve from a rheumatic pain, yet in a multitude of cases the specifics of pharmacy may be found useful; especially in a society of close population, where we have not woods and forest to run in, and where sedentary occupations keep people sitting half their time. And though after all, the diagnosis, or distinguishing diseases, is in many cases, but a guess, and the means of cure still more conjectural, yet still there is something in the province of science, and the skill of the well read and experienced physician.

Why then do you not put the law in force against such an attack upon the druggist, said an orator? You see his chest of medicine broken open, before your eyes, and his shelves pulled down, and the tables under foot, and yet no one bound over, or the riot act read.

Soft and fairly said the peace officers, all in good time.

Take sail from the mast when there comes too strong a blast. A madness prevails at present. It will be but of a fortnights continuance. When the people get a thing into their heads, the best way is to let them go on. They will come to themselves by and by.

But in the mean time they will do a great deal of harm, said the Captain.

It is in the atmosphere said the orator! is it imported, or of domestic origin, said a thinking man among the croud.

It may be imported, or it may be of domestic origin said a simple man; for both abroad and at home, we

have instances of such madness occasionally breaking out, owing to some subtil gas in the holds of vessels, or that breeds in our own streets. It may come from France or Ireland: but what is there to hinder it springing up here, where there are as good materials to work upon, as on the other side the water. Human nature is the same every where.

CHAPTER IX.

THE memoir of the bog-trotter had now made its appearance, and was read with avidity by all ranks, and classes of the community. The novelty of the matter made the stile agreeable and it was called up as a model of fine writing. In fact the school master who was the real author, Teague furnishing only materials, had some knowledge of the English grammar, and had read the Pilgrims Progress, the Seven Champions of Christendom, Reynard the Fox, the Siege of Troy, and had a diction not unpleasing, and tolerably correct.

The place of a professor of rhetoric in the college, being vacant, it was suggested that the new author might be an acquisition to give lectures on eloquence, and Teague was, as usual, elated, with the proposition, and solicited the Captain to countenance the matter, with the trustees of the seminary, that, if he had failed in the political, he might have a chance of elevation in the literary world. The Captain accordingly lent his aid, and though, with some reluctance, undertook to press the matter with the friends of the institution, still doubting in his own mind the capacity of the candidate for a chair in a universi y. It is true, he had heard tell of lectures on taste and criti-

cism, by those, who had not much taste, and were no great critics themselves. But this was considered as abuse, and not to pass into precedent. However, he consented and did broach the matter. It was likely to be carried and would have been carried, but for the other professors, who said it would be a burlesque on them, and threatened to resign if the thing was pushed any farther, as in their opinion, however great the fame of this phenomenon might be, he was in fact, but an illiterate person, and fitter for a professor of gymnastics, than of letters in an academy.

A professor of gymnastics, then let him be, said the Captain. It is true he has not read Salzman on the athletics of schools, or Strutt on the games and pastimes of England; nevertheless he can play, at prison best, barley-bret; blind-mans-buff; the hindmost of three, and fool in the corner. He is no slouch at swere-arse; is a pretty good hitch at a wrestle; and can run and leap abundantly well.

So saying, he turned about, and walked away, with his stick in his hand, to look for the bog-trotter, and to bring him forward for the professorship; but had not walked far, before he fell in with the remains of the Docter's shop that had been thrown out upon the street; and where was Teague in a stall turned doctor, and selling drugs to the multitude, arsenic for worm-powder, and laudanum for wine-cordial. He had picked up the phials when the apothecary had run off fearing the multitude, and the people thinking this man his deputy, or substitute, selling off at a low price, were willing to take a bargain while they could get it.

The Captain was irritated on the score of humanity, and for the first time, made a stroke at the bog-trotter. The cudgel lighting on a box of Spanish flies that was going off at twelve and a half cents, dis-

sipated the contents. A dialogue ensued, and much expostulation. But the result was, that the vendue was broken up, and it came to be understood, that Teague was not the real owner of the ware-house, and that the purchasers might be called upon to pay for the drugs a second time. This last consideration had an effect and the bidding ceased.

At this time John Murdoch came up, a shrewd man, though not in any office, and being well acquainted with the Captain, and the history of the bog-trotter, made free to speak upon the occasion, and addressing himself to the Captain; for the bog-trotter had run off, whether fearing the stick, or to spend the money he had gathered. Captain, said he, Nemo omnibus horis sapit; no man is wise at all times. You have been a long time seeking to get your man into place, and now that he had got into place without you; for accident often does more for a man than his best friends; you have been unwilling that he should stay in it. Nay, you have driven him from it. He had just got into a good way in an honourable and lucrative profession, and you have stopt his career with your batabuy, or shalelah, a weapon which, from his infancy he had been taught to dread. Do you think the greater part of doctors are better read than he was; or even if better read, does their reading turn to more account? Will the people employ them sooner, because they are learned in their profession? Or, even if learned, is their skill the more to be depended on? One of the faculty has said; ars nostra conjecturalis est. Hoffman ran down Boer-

haave ; Cullen, Hoffman ; Brown, Cullen ; and the system now among the physicians, is a hotch potch, or mixture of all. O'Regan might have been a quack ; but the faculty tell us that medicine is much indebted to quacks. Mercury was brought into use by them, and it is now the panacea, the specific for all diseases, *the consumption itself* Gravity is the most practical qualification. Could not Teague assume a grave appearance ; a sober physiognomy, a measured step, with a cane in his hand ; a steady look straight before ; a nod to those that pass by, as if from a thinking man ? Could not he feel a pulse, and speak mysteriously, if he could not speak learnedly, not having given clinical lectures, or attended them ? Or could he not hold his tongue a long time, and say nothing ; which would answer the purpose just as well ; for silence is obscurity, and obscurity is sublimity. When the patient is dead, it was the disease killed him, not the doctor. Dead men tell no tales. Facilis descensus averni. I have heard the blind lawyer discoursing to this effect, that in the profession of the law, which is an ostensible profession, and more likely to expose a man's parts, or faculties of mind than almost any other, yet it is not always understood who is the real lawyer ; and a man may have made an estate at the bar, before it is found out *that he is a fool.* If he loses the cause by his mismanagement, he lays it on the jury : or if the court decide on a point of law contrary to the advice he had given, what can I help it, says he, *if a commission cannot give sense.* It is the law of the books, though it is not the law of their heads. The client submits, and is better pleased with his counsel, than with an honest fellow who had told him in the first instance ; or would tell him in the last, that his cause was none of the best ; and the verdict, or judgment right. If

this is the case in a profession, that, in comparison of the other, is visible, and tangible; that you can reach it in its exhibition, what must it be in an art which is less in view; where the ignorance of the practitioner is capable of more concealment; and the man dies who is most hurt, and carries his complaint before Minos, and Rhadamanthus, who wait *until the doctor comes* to give him a fair hearing?

It is not that I had any doubt, said the Captain, of his getting into practice, that I had been opposed to his empiricism. My apprehension rather was, that he would get too much practice, and have too many lives to answer for morally and in conscience, if not legally. For what did he know of drugs, or of their effect upon the constitution? If you go to conscience and morality with it, I have done, said Mr. Murdoch. You leave no reasoning for me. I was speaking as a man of the world, and the making a living: if you feel yourself entramelled with that sort of doctrine, you are on the other side the line: I have no concern with you: You belong to the old school.

The doctor, in the mean time had come back, and was examining the depredations.

An inventory was taken under the direction of the Captain that what remained might be compared with the original stock, and the loss ascertained, that it might be compensated to the poor man by subscription. As to what had been purloined by Teague in the way of sale, he undertook himself to make up that, having been somewhat accessary to it by introducing the bog-trotter to the village.

CHAPTER X.

FROM what has been stated of the activity of mind among the inhabitants of this village, and especially from the samples that have been given of their attention to politics it will not be a subject of wonder, that there was a village coffee-house, on a small scale in this place, and that the people sometimes met here, to smoke a pipe, and take a glass of beer and read a news paper. It might be called a beer house, if what was drank in it gave the name; for more ale was drank than coffee; but, in imitation of the larger towns it was called a coffee house. It happened that the Captain wishing to learn the news of the coffee-house, took a walk there.

Teague, with what he had collected from the sale of the drugs, had been here before them; and taking on himself the air of a politician, had called for pipes and tobacco, and was looking over a gazette; not that he could read; but to induce people to believe that he read; occasionally also, as if unconscious of those around him, throwing out a sentence, in French; a little of which he had acquired as a parrot would language: such phrases, as save qui peut: tam pis pour lui; a la guillotine. Nor did he neglect the shrug of the shoulders, a habit of expressing the

emotions of the mind, which remained still in some degree among the republicans, though it had been contracted under the monarchy, when people were afraid to speak out, and raised the back, when they did not dare to lift the voice ; and dumb signs served instead of a viva voce declaration. This suited the bog-trotter and enabled him to conceal his ignorance. Not that he had the prudence to intend this ; but imitating what he had seen abroad, he took up the character at home.

The attention of the benches was attracted by his physiognomy, and attitude ; and in the opinion of some, he was taken for a French minister or consul ; by others for an emigrant of distinction that had lost his property, for the sake of his title of nobility.

The Captain hearing these surmises, impelled by the natural candour of his mind, could not avoid explaining. It is neither French minister, nor consul, said he ; but my bog-trotter, that I had detected some time ago, selling drugs, and passing himself for a physician. He might be qualified to be a horse doctor, but certainly not to practice on the human constitution. But what particularly excited indignation, was his purloining the medicines, taking and carrying away, what did not belong to him, and was aggravated by the circumstance, of the things being thrown into the open air, by the rioters who had broken the house, and dispersed the shop, to the great injury of the poor apothecary whose property they were. I had taken it on myself to chastise him, considering myself under obligation to restrain him, having been accessary to his coming to the village. And if you will give me leave gentlemen, and excuse the time and place, I will take the liberty to deal a few blows at this instant, as he cannot conveniently escape from the boxes before my stroke overtakes him.

Not giving time for reflection, or reply on the part of those present, he raised his baton, and was about to strike; Teague on the other hand, had up his heart of oak, also, if not to offend, at least, to defend, and parry the stroke; his countenance in the mean time arguing submission: his words also, whether from fear, or respect, softening and conciliatory. God love your soul, said he, and be aisy; and not be after beating me before dese paple dat know nothing o' de matter; that will take you for an ould fool, beating and fighting for nothing: Just for making a copper out o' de offals of a farrier, selling dem to de paple when de mountebank himself ran off: It is a good job to be making a penny in hard times. If your honour will give me lave, I will introduce your honour, to dese paple dat have taken me for a French minister. I tought I had looked more like a papish Praist. But as dey know best, it is all de same to me. I will drink your honour's health in a tankard of ail if your honour will plase to call for it. Dese shivil looking strangers, dat I never saw before, will like your honour better than kicking and cuffing wid yourshalelah and putting yourself in a passion wid a bog-trotter, dat never meant you any harm.

The address seemed reasonable; and those present interfering, the Captain consented to let him off, advising more honesty and fair dealing for the future But, in his apology to the company, for what might seem an impropriety in behaviour, he was led to give the history of the Hibernian, and the circumstance of his being in France, which accounted for his affecting the French manner, and occasional attempts at the language. This in the mean time led to a general conversation on the affairs of France, and the history of the revolution. Observations were made

above the ordinary stile of beer-house conversation; and of which, though expressed in a desultory manner, as each one took the pipe from his mouth, or listened to the suggestions of others, it may be worth while to give a sample.

One of these who had a considerable fluency of tongue, and ready memory, observed, "That the loss of liberty in the course of that revolution was owing to the unskilfulness of those who conducted it."

But in like situations, said another, is it reasonable to expect more skill? The mass of the people conducted the revolution, and is it in the nature of things, for them to stop at a proper point?

It is in the nature of things, said another; but it is a *rare felicity*. It is natural to distrust him who proposes to stop short of what seems a complete reform. The sovereign people is as liable to the impulse of passion, and as open to the insinuations of flatterers as an individual tyrant. The courtier devoid of principle, in the democratic hall, gets the ear of the populace, as he would that of a Prince, and abuses it.

I do not know well what a man can better do, said another, than just to fall in with the current of opinion and when it changes, change with it. We are right, say the people. You are right, says the man of prudence. We were wrong, say the people. You were wrong, says the same man. Who is ever displeased with a person that has been in the same error with himself?

That is true said the Captain: but is there no such thing as public spirit? Is there not a spice of virtue to be found in a republic? Who would not devote himself for the public good? Were Phocion, and Philopoemen time servers? I grant that it is not the way ultimately to make friends of them, and to have their confidence. Let school boys propose to rob a

hen-roost, they will respect him who dissuaded, though it was not popular, but incurred the imputation of cowardice, and a want of spirit, at the time. Let them rob a garden, and be brought to punishment, they will revere him who had told them it was wrong but was hurried along with them, and suffered by their fault. It is by these means that amongst savages, strong minds obtain the ascendancy and are trusted by the nation. Great is the force of truth, and it will prevail. It requires great courage to bear testimony against an error in the judgment of the multitude ; as it is attended with present disreputation. Yet courage is virtue, and is its own reward.

The great mischief of democracy is party, said an orator, who had taken the pipe from his teeth.

It is the great advantage of it, said his neighbour, It is the angel that descends at a certain season and troubles the pool of Bethsaida, that the lame person may be made whole. Were it not for party, all things would go one way ; the commonwealth would stagnate.

But let one party obtain the ascendancy, and does it not come to the same thing. All things will go one way then ; or rather stand still.

Not so, said the captain ; no party can maintain power long. The ascendancy carries its overthrow along with it. The duration depends upon the judgment of the leaders of the councils. But the leaders, will find that they cannot lead always. While they were struggling up the ascent, every one was willing to be helped, and took advice. But on the top of the precipice, scampver and hoop, and there is no restraining them. A leader of judgment, will always find it more difficult to manage his own people than to combat his adversaries. They cannot be bruoght to halt

at a proper point ; and their errors bring them down again, as those in power did before them.

However, this is wandering from the point, said a man in a black wig ; we were talking of the French ; who says that Bonaparte did not usurp the government ?

I am of that opinion, said the Captain ; for there was no government to usurp. He put down the directory, who had themselves put down the councils. The banishment to Cayenne, is a proof of this.

I agree with you, said an individual on the other side of the box, or bench, as it rather might be called. It was the Mountainards that runed the republic, at the very time they were running down others under the charge of incivicism, and conspiracy against the republic.

Doubtless, said the Captain ; It is in popular intemperance, that aristocracy, and despotism have their source.

At this instant the blowing of a horn announced the arrival of the post ; the late papers were brought into and all began to read.

CHAPTER XI.

THE Captain having a short space of time to spare from his avocations, and disposed to take the air, had walked out and coming near the small building which served as a hospital for the village, was disposed to visit it and see the state in which it was, with what new objects, since he had been absent on his peregrinations.

He was shewn by the keeper an extraordinary object in a cell, a man who imagined himself a moral philosopher, delivering lectures. His observations were occasionally fraught with good sense. While the Captain stood, in the passage opposite his door, he made a note of some part of his di-course, and which, having had an opportunity of copying, we shall give to the reader. It was on the subject of the resentment of injuries.

"It is a strange thing, said he that we cannot submit with equanimity to evils in the moral world, as we do in the natural. We expect a fair day, and there comes a foul. Is it any gratification to us, to beat the air, or stamp upon the puddle? Who would think of giving the cow skin to a hurricane? Yet the greatest damage is sometimes done by a blast of wind. He would be thought a madman, and be sent to this

place, who was deprehended buffeting a whirlwind, even though it had torn up by the roots, or broken down a fruit tree. He must be out of his senses indeed, that would have recourse to a bludgeon, in case of an attack by an inundation. It would be a laughing stock to see even a Turk giving the bastinado, to a hot season, or to cold weather. The knout to a Russian winter! Did the Pope ever excommunicate a storm on the ocean? What man is angry with a squall of wind? He considers it as an evil, and composes his mind to the loss of his merchandize. Is ingratitude less to be expected? And yet when it happens, we reprobate, and seek revenge. Sufferings from moral causes, are just as common as from natural. And yet when an injury is committed by a human creature, we are taken by surprise, and lose temper. Cannot we turn away, as from a sudden gust, and take shelter under some one willing to protect us, without thinking more of the enemy that had beaten us, with his fist, or abused us with a bad tongue? The pelting of a hail stone never induces you to use hard words, or to demand satisfaction of the atmosphere; and yet you will send a challenge, and risk your own life to punish a man that has barely slighted you in manner, or in words. Why not take the other side of the road, and pass him by as you would a pond of water, or a marshy place? Cannot we take the necessary precautions against calumny, as we would against foul air, without putting ourselves in a passion with the author of the defamation any more than with a vapour, or an exhalation? But there is such a thing, as will and intention in the moral agent. Is this any thing more than an idea, a matter of our own imaginations? It is the same thing to us whether there is a *spirit* in the winds, or *no spirit* when a house is blown down; or the roof carried

away. What is it to us, whether the cause thinks, or does not think. We blame it the most sometimes because it does not think. We call in question the understanding of a man when he wrongs us ; and say, if he had the reflection of a reasonable being, he would have conducted himself in a different manner. And yet the consideration that he had not reflection, does not mitigate, but increases our resentment. Oh ! the inconsistency of human life and manners. I am shut up here as a madman, in a mad place, and yet it appears to me that I am the only rational being amongst men, because I know that I am mad, and acknowledge it, and they do not that they are mad, or acknowledge it."

As far as my small judgment goes, says an orator, when he is about to express an opinion ; and yet he does not think his judgment *small*. He would take it much amiss if any one took him at his word, and would say, true it is, *your judgment is but small* All think themselves wise, wise, wise. But I say, fools, fools, fools At this he threw himself down on his couch, and fell asleep.

In the next apartment was an insane person, who stiled himself the "Lay Preacher," who took his text as usual; and began to preach. Book of Judges, 21. 25. "In those days there was no King in Israel; and every man did that which was right in his own eyes"

That was right, said a mad democrat, who was confined in a cell across the passage. When we got quit of a king, the same thing was expected here, "that every man should do that which was right in his own eyes;" but behold we are made to do that which is right in the eyes of others. The law governs, and this law is made up of acts of assembly, and the decisions of the courts ; and a kind of law they call

the common law. A man's nose is just as much upon the grind-stone as it was before the revolution. It is not your own will that you must consult; but the will of others. Down with all law, and give us a free government, "that every man may do that which is right in his own eyes."

Madman, said the Preacher; thou knowest not what thou sayest. It is not allowable that men should do that which is right in their own eyes. A man is not a proper judge of right in his own cause. His passions bias his judgment. He cannot see the right and justice of the case. The want of a king in Israel was accompanied with the want of laws. I do not mean to say that, without a king there cannot be laws. But kings are put here for government, that being the government, at that period known in the world. For even a mixed monarchy is an improvement of later times. The meaning is, there being no government, every man did that which was right in his own eyes; and ten to one, *but it was wrong in the eyes of others:* A wild state of anarchy. A time for Sampson to live, that could knock down people with "*the jaw bone of an ass.*"

What worse, said the democrat, than amongst us, where we see honest men knocked down with the *jaw bones of lawyers*, arguing a cause, *and the judges that decide upon the case.*

Passing on, the Captain came to the stair case, and ascended to the second story; he wished to see a mad poet who had been engaged in travestying his travels. He had the advantage of a commodious apartment, more so, than some of those who have surpassed him in his art in different places and periods of the world. The poet Dryden was not so well accommodated, at the time he wrote his St. Cecilia's Ode, which is thought to be the best of his composi-

tions. The poet that we have before us, was a quiet man, and had the privilege of the hospital, to go and come as he pleased, but not to go without the walls. He was confined here by his relations merely as a matter of convenience, being so absent in mind, that he was incapaple of taking care of himself. The manuscript, in doggerel verse, would seem to be sufficient to compose a book, half as large as Hudibras. He was overjoyed to see the Captain, who was the hero of his poem ; and the Captain was no less amused to see him, and the adventures of which he made a part turned into rhyme. His sensations were equally sublime with those of the Trojan hero, when he saw the war of Troy in the paintings hung up in the hall of the queen of Carthage. The circumstance was not less entertaining to him as the actor, or the speaker in the course of the adventures so recorded, and he consented to accept a copy, not that he meant to give it to the press, but to cast his eye over it, for his particular amusement : nevertheless, the manuscript having fallen into our hands, we shall select parts of it, and according as the reader seems to like that which he gets, we shall give him more. In the mean time we shall dismiss the Captain from the hospital, not but that there was much more to see and hear amongst the Bedlamites still, but affected with melancholy and weary of the scene. At the same time doubting with himself, whether those he saw confined were more devoid of reason than the bulk of men running at large in the world. He had no doubt of one being a lunatic of whom the keeper made mention, but whom he had not an inclination to visit, in the second story ; for he was said to be employed looking at the moon, with a pair of spectacles which he took for a telescope. For lunacy means moon-struck, and this seemed to be the case with him.

CHAPTER XII.

HAVING turned his back on the hospital, there was a concourse of people: the cry was a new code of laws.

A new code, said a grave man? Is not the old, the result of experience, a gradual accession of rules and regulations in society? Begin again, and you would come to the same result at last. But to form laws from abstract comprehension, fitted to all exigencies, is not within the compass of the powers of man. It is sufficient if he can form a schedule or plan of government; this is the outline, the interior gyrations, must be made up from repeated experiments.

The words new code, were mistaken by some amongst the crowd, for no code.

No code, was repeated through the multitude.

What no laws at all, said the grave man?

No laws, was the outcry immediately, and every vociferous person wishing to hear himself speak, and every timid person, afraid of being suspected of incivicism, began to call out, no laws.

That will never do, said the grave man, it were better to have no judges than to have no laws, or at least as bad. For how can men judge but by laws. Arbitrary discretion is a blind guide.

The words no judges, had been heard more distinctly than the rest, and supposing it to be a substitute for no laws, voices came from every quarter in support of the amendment. I support the amendment; I agree to the substitute, no judges, no judges.

The clamour became general, down with the judges.

This puts me in mind, said the Captain, of the sermon of the Lay Preacher. I should have no objection to an amendment of the law, or to new judges but no laws, no judges, is more than I had expected to have heard in an assembly of republicans.

A person standing by was struck with the good sense and moderation of this remark, and stepping forward, made his harangue.

I will not say, said he, that I am for no judges; But this I will say, that new judges is a desideratum in the body politic. The greater part that we have are grown gray, and are as blind as bats: they cannot see without spectacles. I am for new judges.

You talk of judges, said the grave man, as if it was as easy to make a judge of law as to make a bird-cage, or a rat-trap.

What, said a merry fellow, shall we have new shoes, new pantaloons, and new every thing; and shall we not have new judges? We shall never do any good with the present set of judges on the bench.

It was carried that there should be new judges.

But having disposed of the old, it became a question whom they should elect for new. The bog-trotter was proposed for one, having had his name up before in the matter of the newspaper.

What, my waiter, said the Captain? Yes, your waiter, said a wag, or a fool, I do not know which.

You astonish me, said the Captain. My waiter a judge of the courts. He will make sad work on a bench of justice. He will put down all law. He will silence all lawyers. He will have no law: no books; no cases; all plain sailing with him. Every man his own lawyer, state his own cases, and speak for himself. No Hooks and Crooks; no Hawkins; no Bacons; or Blackstones; or Whitestones; no Strange cases; no law of evidence. Every man sworn and tell what he knows, whether he has seen it, or heard it, at second, or at first hand: interest or no interest; all the same; let the jury believe what they think proper; and the judge state the law from his thumbs ends without books.

This is madness, and here I have more trouble on my hands with this bog-trotter, than I have ever had before. It is a more delicate matter to see him placed on the seat of justice, to administer the laws, than to be in the Senate House, and assist to make them. For in that case he would be but a component member of a great body, and his errors, might be lost in the wisdom of the other members. But in the capacity of judge he is sole, or with but a few, and it is an easier matter to frame a single law than to expound and apply a thousand.

Gentlemen, said he, addressing himself to the multitude, you will ruin your administration. You will bring disgrace upon it. The people will not feel your error at once; but they will feel it by and bye, and will depose you who have been the most active in this cavalcade. That is, they will withdraw from you their confidence. The abuse of power leads to the loss of it. No party in a government, can exist long, but by moderation and wisdom. *The duration of power, will always be in proportion to the discreet use of it.* I am shocked at your indiscretion. Have

not some of you read Don Quixotte? In the capacity of judge, Sancho Panzo made some shrewd decisions; or rather Cervantes made them for him; for, I doubt much whether Sancho ever made one of them. But who is there of you, will make decisions for Teague. I doubt much whether he would take advice, or let any one judge in his behalf. Besides that of a judge is not a ministerial office, and cannot legally be exercised by deputy. You will make pretty work of it with Teague for a judge. It may be according to the light of nature; but not according to the law of nature that he will judge. At least, not according to the law of nations: for no nation under heaven ever had such a judge. Not even in the most unenlightened times. If he had a knowledge even of the old Brehon law, in his native country, it might be some help. But in matters of meum and tuum he has a certain wrong headedness that hinders him from ever seeing right. He thinks always on the one side; that is on his own side. But what he would do between suitors, I am not so clear, but I take it he would be a partial judge. The man has no principle of honour or honesty. He would be an unjust judge.

Will not the commission make him a judge, exclaimed one of the multitude.

But will it make him capable of judging, said the Captain?

Why not, said a boisterous man. What else qualifies or makes fit. Can the most sensible man, or the most learned person, judge without a commission?

Doubtless that is the authority, said the Captain. But still the capacity.

Capacity! Said a man, with a bit out of the one side of the membrane of his nose, snivelling in his

speech; capacity! Give me the commission, and I will shew you the capacity. Let me see who will dare to question my capacity.

Such a burlesque, said the blind lawyer, tends naturally to the overthrow of justice. For able and conscientious men will withdraw from a degraded station. Intrigue, worse than, perhaps, the arm of flesh itself, will come to be employed in the management of causes. Security of person, property, and reputation, the great end of civil institutions, will be rendered precarious. The security of them depends upon fixed and known rules, as well as the application of them. It is not an easy matter to attain a knowledge of these rules. The laws of a single game at school, or of such as employ manhood, in an hour of amusement, is a thing of labour to acquire. The law parliamentary; or rules of a legislative body, is not learnt in a day. And yet without a knowledge of it, there is a want of order, as well as dispatch in business. The laws of municipal regulation in a community, laws of external structure, and internal police, are not attainable with the celerity of a moments warning. But when we come to the rules of property, the laws of tenure and of contract, a field opens, that startles the imagination. Even the study of years, makes but a sciolist. But, you will say, lay aside rules. Let all decisions spring from the dictates of common sense applied to the particular case before the judge. But the mere arbitrary sense of right and wrong, is an unsafe standard of justice. A free government, is a government of laws. A Cadi or a Mufti are tolerable only in despotic countries. You are destroying your republic by undermining the independence, and respectability of your judiciary. It is that branch of the government, on which liberty most essentially depends.

The multitude seemed to be but little moved by these observations, which made it necessary for the Captain to try what could be done with the bog-trotter himself, to dissuade him from accepting the appointment. Accordingly, taking him aside, he spoke to him as follows:

Teague, said he, will there be no end of your presumption? I take it to be a great error of education in our schools, and colleges, that ambition is encouraged by the distribution of honours, in consideration of progress in letters; that one shall be declared the first scholar in languages, another in mathematics. It is sufficient that the fact be so without announcing it. The self-love of the student will find it out himself, without information, and his fellows will be ready to acknowledge it, provided that it is not arrogated, or a demand made that it be formally acknowledged. For this takes away the friendship of others, and corrupts the moral feelings of the successful competitor himself. Ambition springs up, that accursed root which poisons the world. Now, you cannot lay your ambition to the charge of schools or colleges: for, you have never been at any seminary whatever, as far as I understand, if I may guess from your want of attainments in academic studies; and yet notwithstanding you have never been in the way of the distinction of grades, and prizes, and literary honours; you have discovered an ambition of a full grown size, even at this early period of your life. It must be a bad nature that has generated this preposterous aiming and stretching at promotion. A wise man will weigh, what he undertakes; what his shoulders can bear, and what they cannot. He will consider whether the office is fit for him, or whether he is fit for the office. He will reflect that the shade is oftentimes the most desirable situation. Do you

see that bird upon the tree there? It builds its nest with care, and endeavours to render it convenient. But does it build it on the topmost bough, exposed to the sun, and the heavy rain; or rather does it not choose an inferior branch in the thickest of the umbrage? Take a lesson from the fowls of heaven, and the brutes of the field. It is not the elevation of place, but the conveniency of accommodation that governs them. Ambition is an accursed germe of evil in the human mind. It is equally destructive of the happiness of the possessor and of that of others. You a republican, and yet destitute of republican virtue, the basis of which I take to be *humility and self-denial.* Were I the master of an academy, the first, and continual lesson would be, to attain science, and be learned; but as to seeming so, to consider it as of no account. *Science would discover itself.* The possessing knowledge would be its own reward. The concealment of all self-knowledge of this advantage, not only constitutes the decent and the becoming in life, but lays the foundation of emolument *in the good will of others.* It may be pardonable in early age to have pride in the advantage of bodily form; but we call in question the modesty of a youth, male or female, who seems to set an inordinate value, on a limb or a feature. How much less tolerable, *the pride of mental superiority* But of all things under heaven the most contemptible, and the least sufferable, is that of incompetency to a trust, and the aspiring to a place, for which the candidate is not qualified; or, even if qualified, against modesty, and the claims of others. It brings a man to be the subject of a laugh, and ridicule. Do you know that the making you a judge, was but a farce, in the manner that Sancho Panzo was advanced to a government. You have read the Don Quixotte of Cervantes, I presume. But

what do I say; you read Don Quixotte! you have read nothing; and yet you would be a judge. Ambition, I tell you, is an evil. You have read of Julius Cæsar, in the Roman history. Again I forget myself. You have read nothing. But I may tell you of him. What was the purple to him compared with losing the affections of his countrymen? Though, by the bye, there is some reason to think that it was neck or nothing with him, and that self-preservation made it necessary to usurp the empire, things having come to that state at Rome, that if he did not usurp, another would. But a good republican, and a virtuous man, would rather fall, than save his life, at the expence of the rights of others. But it slips my memory that I am talking to a bog-trotter. There is no making a silk purse out of a sow's ear. Suppose you were made a judge; in this hurly burly of the public mind, would your standing be secure, even with the most perfect competency for the place? You would not stand two throws of a weaver's shuttle. Your chair, under you, would be like an old piece of furniture bought at a vendue, put together for sale; the glueing gone, and the joints broken. It would fall before it had felt half your weight, and leave you, with your backside upon the floor. New judges to-day, and the public mind would have desired new judges to-morrow. Consider the physical consequence of being broken from the bench. Take my word it is not a common breaking this; it will affect your frame at every change of the weather. It will make an almanac of your whole system. It will make your joints ache. It will be worse than a sprain in the ancle; or a rheumatism in the limbs; or a sciatica in the small of the back. It will give you a cholic every new moon, and take away your sleep at midnight. It will give you the jaundice; and hurt your complex-

ion. Your eyes will become yellow, and your cheeks green. You will lose your appetite; and not be able to eat, even when you can get it. Why man; it will blister your feet, and break your shins. It will bring you to death's door, before you have lived half your days.

By de holy poker, said Teague, I will be no judge, if dat is de way of it. Dey may judge for demselves; I will be no judge. De devil a judge will I be; I would sooner dig turf or be a horse jockey at fairs in Ireland, dan be a judge on dose terms; so dey may make whom dey please a judge for me.

CHAPTER XIII.

CONTAINING OBSERVATIONS.

TO speak seriously upon the subject, I doubt much, whether in the present commercial state of society, and where property is not held in common, people would be safe and prosperous without law altogether. I do not know whether, even lawyers are not a necessary evil. It is true, they take up more time, than is perhaps necessary, in their pleadings, and cite more authorities than are absolutely applicable to the point in question. The younger council read authorities, to shew that they have read, and the older to prove that they have not forgotten. I would allow ninety nine cases out of an hundred, that have nothing to do with the matter; but the citing five hundred cases, not one of which is any thing to the purpose, is carrying it to an excess which in strictness cannot be justified. It takes up time, and is not paying a proper respect to the common sense of the country. A little original reason and reflection of the advocate himself might answer the purpose in some cases. The reason of a man's own raising, may be as good as that which is bought at market.

——What is't t' us,
Though it were said by Trismegistus ?

Not that I mean to undervalue, much less to lay aside altogether, the assistance of borrowed reason, and the auxiliary deductions of other men, whether on this side the water or beyond it. But there is such a thing as being enslaved to authorities, or at least, loading the argument with too much incumbrance of quotations. It depends a good deal upon the countenance given by the court to such a lumber drawn from old books ; yet the correcting it requires an infinity of care, lest you lose the advantages of recurring to first principles.

Antiquos recludere fontes. The profound divine reads the commentators and thence assists the comments which he makes himself. The avoiding one error leads into a worse.

——Fuga Culpæ,
In vitium ducit.

In tearing up the darnel, the wheat may come with it. The books must be read.

Nocturna manu, versate diurna.

But in an argument, I value more the judgment of selection, than the labour of collecting. It is a flattering thing to a court, to take it for granted, that they understand first principles ; and even a jury are not displeased when you seem to suppose in the summing up the evidence, and the remarks upon it, that they themselves can see a thing that is as plain as a pike-staff. Hence, long speaking, and an over-minute investigation, is sometimes odious. Or to attempt to make them believe what cannot be believed, makes a man sick, provided he is not disposed to laugh. This depends a good deal on the natural playfulness of his mind or the mood in which he is, from the want of food, or sleep. I excuse the people

shewing a dissatisfaction to the trial by jury, under the pleadings of advocates, when the harangues, in an evening are like to prove eternal. When the stream of the orator turns upon itself; visits the ground that it had left, and is unwilling to quit the enchanted borders of the argument.

Yet, I think, all things considered, that there is some use in courts of justice; and that it would not consist with antient habits, to lay them aside all at once. Liberty has been accustomed to them. I do not find that she has ever done without them. Wherever she comes, she seems to call for them.

There is a strange coincidence between liberty, and an established jurisprudence. Whether it be matter of accident, or a connection in the natural existence, may deserve investigation. To give the devil his due, there is a good deal of pains taken in the courts to secure a fair trial, in the empanneling the jurors, and the admissibility of evidence, whether oral or written. As to the protecting the suitors from each other, and what is called *the consequential contempt*, it is a matter too delicate to touch upon, and we shall pass it by. But it seems to me that the peace is better kept, than if there were no courts at all, and no protection given to the parties, relative to the matter in question, even out of doors. However, this I leave to the consideration of the prudent.

Some are of opinion that it would be better to argue all matters of meum, or tuum, in the public papers, or in hand-bills posted upon trees. The principal objection I see to this, is that the suitors waxing warm in the controversy, would call one another names and come to blows. A great deal of ill-blood between neighbours might shew itself. How could you keep lawyers from writing in the gazettes, any more than from speaking at the bar? And here, their jargon re-

duced to paper, would spread wider, and have more permanence than floating on the atmosphere with which their breath had mixed it in the first instance. The theories of ingenious men are not to be discouraged; yet it is not to be taken for granted that every theory that is plausible, is practicable; and will be found to answer the expectations of the most deliberate projector.

The independence of judges, is a favourite theme with the judiciary themselves. And doubtless there is some reason on their side. For the Scripture says, "*the fear of man bringeth a snare;*" and the man that has most influence, in elections, is likely to be most *feared* by *an elective officer*. It would not be a state conducive to justice; that in giving judgment, the judge should be under the temptation to be looking about, and turning in his mind, the probability of being turned out in consequence of the judgment he was then to give: whether John O'Nokes, or John O'Stiles were to be the next members of the Legislative body. But this supposes judges fallible, and subject to the weakness of human nature, which is not to be supposed at all.

But if you confer independence any more than in a ministerial officer, the judge becomes impudent. Power corrupts. It is natural to count too much upon a man's standing. Every one overrates his own importance; much more his own services. Self-love, and self-consequence swells, and produces oedematous effects. The man that has given his vote at an election, or written a paper, will conceive that he has turned the election; *that day light springs because he has croaked*. He will denounce the man that differs from him, as swerving from the faith; the orthodoxy of the creed; making no allowance for the different organization of the brain, and the conception of

things. How much more intolerant is a man like to be, that conceives himself fixed in a seat for an interminable period.

There is such a thing as tyranny in judges; and I am no enemy to the investigation of official conduct. But let the power paramount, the people take care that they exercise not tyranny themselves; or give way to passion, which even in a body politic, is possible. Let the sovereign, like that of all the earth, do justice; and consider that the possession of power is upheld by justice.

But as to the notion of some, that law, lawyers, and judges, might be laid aside altogether; I doubt as already hinted, the good policy of this. At least the experiment may be premature. Republican principles have purified the world a good deal; but I do not know that it is just come to this, that men are universally virtuous. Some vestiges of that ironage yet remain. The old man of federalism enters yet a little into our dealings with each other. I admit that public offices are pretty well purged; but there are unfair transactions yet spoken of among the multitude. It may be too soon yet to abolish all law, and jurisprudence. I admit that courts of law are a check upon the freedom of the press, and I excuse the publishers of gazettes, in their zeal to have them overthrown, or at least reduced to fear and subordination. Because it is drawing all things to their own examination. But are they sure that they are good republicans in this? Or, indeed that they consult their own security in the event of this licence. For prostrate the courts, and the cudgel prostrates themselves. While they are pushing at a judge, they are preparing the way for some robust man in due time, to push at them. With different weapons it is true. For the weapons of the press, are spiritual, or of the mind;

but that of the bludgeon is corporal, and made of wood, or some other material of a solid substance. It is not the interest of a printer that a judge be rendered timid, by persecution ; for he stands between the cudgelist, or pugelist in a controversy with the man of types. Thus the freedom of the press, is supported by the laws, and by the due enforcement of them. Yet it is natural for a man at first view, to think, that if there were no courts, he could write with less restraint. He could make every man tributary to his opinion ; or to his measures ; for if he did not libel, he could threaten to libel, and compel a submission.

It seems to me that a poor man is safer in a country of laws, than in one without laws. " For wealth maketh many friends ;" and I do not hear any complaints that the rich are favoured in the courts. But, that may be owing to the mode of trial, which is in the face of the world, and where lawyers are suffered to make as free with the character and conduct of a rich rogue in a cause, as with one of a more circumscribed estate. This last is one argument I have just hit upon, in favour of lawyers ; and I find myself well disposed to give them a lift when I can with propriety. For though I would be willing to muzzle them a little in their speeches ; yet I do not wish to see them run down altogether.

Fortitude is a requisite qualification in a judge. It requires resolution to preserve order at the bar; overawe petulance ; arrest impertinence in manners, or in argument ; suppress side-bar conversation ; and render the practice tolerable to practitioners of mild and modest demeanor ; of delicate and gentle disposition ; of scrupulous honour, and liberality in the conduct of a suit, or management in courts. Resolution is necessary to decision unequivocal and satisfactory, unawed by forensic opinion or the influence of individuals. It is dangerous therefore to sap this

spirit of independence, by the precarious tenure of the office, while at the same time the right of the citizen is examined, and the power of the court considered in its latitude and operation. All I mean to say, is, that the examination of the judicial conduct is a high trust, in the view of an enlightened public, and answerable to the present time, and to posterity, for the consequences.

CHAPTER XIV.

WHAT is the reason of the fluctuations of parties in republics?

The reasons are many. But one is the unskilful driving of the state carriage, by those who get possession of the curricle. Phaeton, you know, though he had the best advice from his father

In medio tutissimus ibis.

The middle way is the best; yet before the middle of the day, he had set the earth on fire. The people are always honest, but oftentimes the instruments of their own servitude; by distrust where they ought to have confidence, and confidence where they ought to have distrust. The bulk cannot have perfect information; and that reach of thought which observation, and experience gives. They must trust a good deal to others in the science of government, and the expediency of public measures; and it depends upon those whom they do trust, whether the power of a party is long lived, or short. All depends upon the wisdom, and integrity of those that lead. What ruined the federal administration, but the intemperance of driving. The upright disapproved, and the prudent forsook it. The unskilful pilots were not aware of an under current that had begun to set. Extremes

will always beget the same effect; and like the tension of a chord, produce a return in a contrary direction. Judgment, how far to go, and where to stop, is the great secret. Trained shaft horses, that will back down the inclined plane of a hill, are excellent in a team. Younglings, though mettlesome, and generous, are apt to draw too fast, upon a declivity or even on a plain.

For that reason, I cannot say, that I am favourable to a change of representatives every year, even when what has been done, does not altogether please me. Because experience is a great softner of the mind; it gives knowledge. A man after some times begins to understand the game, and to find out who it is that takes a lead with a view to some object of his own. That may be unfathomable in the early breaking of the business, and yet come out at last. *Or a man may come to see his own error, and profit by the recollection.*

But how will an honest man in a deliberate body, know what to trust but his own judgment? Nothing. Then let him think humbly, diligently, extensively, distrusting pre-conceived opinions, and laying his mind open to the light of truth. Yet there may be some rules to guide the judgment. Such as trusting the judgment of others who have had experience in the science, or establishment, relative to which, the question is agitated, or the measure proposed. Every one is to be trusted in that thing, of which he has some knowledge.

That man is to be trusted who is free from the imputation of inordinate selfishness in private life. You will find an artist that is fonder of the art than the emoluments. There are men that connect the public good with their own happiness; generous spirits who manifest this by their disinterestedness in ordinary transactions. This is a good sign, and ought to

inspire confidence in their agency, in public matters. *The man that covets good will more than money, and the praise of benevolence, more than that of private gain,* has some soul in him, and other things equal, is to be trusted before him of a contracted spirit, and self-love in all his actions.

But after all, things will take their course; and no party in a republic will retain power always, because they will abuse it; but the duration of power in an elective government, will depend considerably upon the being able to distinguish between vigour and moderation.

CHAPTER XV.

CONTAINING OBSERVATIONS.

THERE is a natural alliance between liberty and letters. Men of letters, are seldom men of wealth, and these naturally ally themselves with the *democratic interest* in a commonwealth. These form a balance with the bulk of the people, against power, springing from family interest, and large estates. It is not good policy in republicans to declare war against letters ; or even to frown upon them, for in literary men is their best support. They are as necessary to them as light to the steps. They are a safe auxiliary ; for all they want is, to have the praise of giving information. The study of political law, and municipal jurisprudence qualifies to inform, and hence at the commencement of the American revolution, lawyers were the first to give the alarm and assert the rights of the people. Shall we forget the recent services of lawyers in the framing the federal, and state constitutions ? The name of lawyer ought not to be hunted down, because there are characters, unworthy of the profession, with whom the love of money is inordinate, and insatiable.

There is ground, for the regret, that literary institutions are not favoured; that it has become a popular thing to call out against learning, as not necessary to make republicans. The knowledge of our rights, and capacity to prosecute, and defend them, does not spring from the ground; but from education, and study. Under a federal government; we are peculiarly situated. We stand in need of law, learning, and legal abilities to support ourselves in a contest with the claims of the general government, which, as it bounds the state jurisdiction, must in the nature of things encroach upon it. It is of great moment, with a view to this very object that our judiciary be composed of able men, that under the concurrent jurisdiction of the courts, it may be able to hold its own; or more especially, that from a want of confidence in the abilities of the state judges, recurrence may not be had to the tribunals of the United States, by legitimate election, or by those collusions against which it is difficult to guard.

CHAPTER XVI.

THE rumour had prevailed, that the judges had been broke.

Is it upon the wheel? Said a learned man; for he did not think it could be with the bow-string that they had been punished; for that is the mode towards public officers, in the dominions of the Grand Seignior; nor did he think it could have been with the knout or bastinado; as that is usual only in Russia, and makes a part of the penal code, at the discretion of the Czar.

Not upon the wheel, said a by-stander; they are not broke in that sense of the word. It is but a removal from office, that is intended by the word, broke; and not the breaking of the back, or the limbs, or any part of the body.

Why break them? said the learned man, even in that sense of the word. That is remove.

Because they gave a wrong judgment, said the by-stander.

There could na be a better reason, said a Scotch gentleman, it is contrary to the very end o' their creation.

Why not reverse their judgment? said the scholar.

Because it is better to reverse themselves, said the Scotch gentleman; and let them and their judgment a' go thegether.

At saying this, a person came in who gave intelligence, that the 4th of July being about to be celebrated, the people had made choice of Teague O'Regan, the Captain's man, to deliver an oration, on this, the anniversary of our independence, and to draw up the toasts.

Will absurdities never cease? said the Captain, in a free government. My bog-trotter chosen to deliver an harangue, in commemoration of the men, and measures, of our great national contest! It is for the celebration of the festival. Astonishing!

Teague, said he, I could have put up with the great variety of functions to which you have been proposed; or have proposed yourself; even that of a judge of the courts of law; as being matters of a mere secular nature, and forensic concern; but to be the organ of the celebration of a festival, which has become in a manner sacred, by the cause to which it is consecrated, is beyond all endurance; and as to the drawing up toasts, or sentiments for the day, you are incompetent. You may be equal to the fabrication of a common place allusion to the prevailing cry, and make it the voice of the occasion, as for instance, to give a slap at the judges.

But as to hitting off thoughts on the principles of government; or practical application in the measures of the administration, you are unequal to the task.

With regard to Teague himself, he had as little thought of delivering an oration, or drawing up toasts as any one else could have. The apothecary who meant to sell medicines on that day, on a stage, had employed him to act in the capacity of tumbler; not that he could tumble; but that he could not tumble;

and so, by preposterous attempts at agility would answer the purpose of moving laughter, and drawing the attention of the multitude, who being collected for that purpose, might be drawn into another, the purchase of worm powders, lozenges, and usual drugs.

The celebration of our national anniversary, will no doubt. be continued while the union of these states exists. It may be continued by the parts probably after a dis-union ; an event certain, and inevitable ; but which, the wise and the good delight to contemplate as remote ; and not likely to happen for innumerable ages The orations delivered on this day, may greatly contribute to postpone the event of a disunion, by patriotic, and conciliatory sentiments. For this reason, the best abilities, and the most virtuous hearts ought to be chosen to be the orators of the occasion.

But the toasts, or sentiments given on the convivial libations ; not in honor of imaginary deities. as amongst the Greeks and Romans ; but in honor of deceased heroes, who have passed from a scene where they were mixed with us, and to a scene. where we shall be mixed with them ; these expressions of the public mind, ought to be the peculiar care of the aged and the wise. They ought to be the lectures of wisdom Taking up the matter in this point of view, what delicacy ought to be attached to the expression of sentiment Let it be considered that on a single thought may depend the essence of liberty ; health or poison may be communicated by a word For the toasts of this day are considered as *indications of the public will*, and yet without a due sense of the solemn obligations of honor and honesty, toasts are brought forward, perhaps by an individual. in accommodation to a local prejudice, and merely to accomplish the purpose of an election to a public body. For the fact

is, that toasts are not always real expressions of the sentiments of even a majority of those who suffer them to pass ; they are introduced by the mistake of those, who substitute the sentiments of the uninformed for that of the whole community. But all that is illiberal, on these occasions, ought to be avoided. All inhumanity, and injustice. All anticipation of judgment on cases depending ; all expressions calculated to inflame the decision. For a popular clamour once raised is difficult to be resisted.

Democracy has its strength in strict integrity ; in perfect delicacy ; in elevation and dignity of mind. It is an unjust imputation, that it is rude in manners, and coarse in expression. This is the characteristic of slaves, in a despotism ; not of democrats in a republic. Democracy embraces the idea of a standing on virtue alone ; unaided by wealth or the power of family. This makes "the noble of nature" of whom Thomas Payne speaks. Shall this noble not know his nobility, and be behind the noble of aristocracy who piques himself upon his honour, and feels a stain upon his delicacy as he would a bodily wound ? The democrat is the true chevalier, who, though he wears not crosses, or the emblazoned arms of heraldry, yet is ready to do right, and justice to every one All others are impostors, and do not belong to the order of democracy. Many of these there are no doubt ; false brethren ; but shall the democrat complain of usurpation ; of undue influence ; or oppression and tyranny from ambitious persons ; and not be jealous, at the same time of *democratic tyranny* in himself, which is the more pernicious, as it brings a slur upon the purest principles ?

BOOK II.

IT has been asked, why, in writing this memoir ; have I taken my clown, *from the Irish nation ?* The character of the English clown, I did not well understand ; nor could I imitate the manner of speaking. That of the Scotch I have tried, as may be seen, in the character of Duncan. But I found it, in my hands, rather insipid. The character of the Irish clown, to use the language of Rousseau, " has more stuff in it." He will attempt any thing.

The American has in fact, yet, no character ; neither the clown, nor the gentleman. So that I could not take one from our own country ; which I would much rather have done, as the scene lay here. But the midland states of America, and the western parts in general, being half Ireland, the character of the Irish clown, will not be wholly misunderstood. It is true the clown is taken from the aboriginal Irish ; a character not so well known in the North of that country ; nevertheless, it is still so much known, even there, and amongst the emigrants here, or their descendants, that it will not be wholly thrown away.

On the Irish stage, it is a standing character ; and on the theatre in Britain, it is also introduced. I

have not been able to do it justice, being but half an Irishman, myself, and not so well acquainted with the reversions, and idiom, of the genuine Thady, as I could wish. However, the imitation at a distance from the original, will better pass than if it had been written, and read, nearer home. Foreigners will not so readily distinguish the incongruities; or, as it is the best we can produce for the present, will more indulgently consider them.

I think it the duty of every man who possesses a faculty, and perhaps a facility of drawing such images, as will amuse his neighbour, to lend a hand, and do something. Have those authors done nothing for the world, whose works would seem to have had no other object but to amuse? In low health; after the fatigue of great mental exertion on solid disquisitions; in pain of mind, from disappointed passions; or broken with the sensibilities of sympathy, and affection; it is a relief to try not to think, and this is attainable, in some degree; by light reading. Under sensations of this kind, I have had recourse more than once to Don Quixotte; which doubtless contains a great deal of excellent moral sentiment. But, at the same time, has much, that can serve only to amuse. Even in health, and with a flow of spirits, from prosperous affairs, it diversifies enjoyments, and adds to that happiness of which the mind is capable. I trust therefore, that the gravest persons, will not be of opinion that I ought to be put out of the church, for any appearance of levity, which this work may seem to carry with it.

I know there have been instances, amongst the *puritans* of clergymen, degraded for singing a Scotch pastoral. But music is a carnal thing compared with putting thoughts upon paper. It requires an opening

of the mouth, and a rolling of the tongue, whereas thought is wholly spiritual, and depends, not on any modification of the corporeal organs. Music, however, even by the strictest sects, is admissable in sacred harmony, which is an acknowledgement, that even sound, has its uses to soothe the mind or to fit it for contemplation.

I would ask, which is the most entertaining work, Smollet's history of England; or his Humphrey Clinker? For as to the utility, so far as that depends upon truth, they are both alike. History has been well said to be *the Romance of the human mind; and Romance the history of the heart.* When the son of Robert Walpole asked his father, whether he should read to him out of a book of history; he said; "*he was not fond of Romance.*" This minister had been long engaged in affairs; and from what he had seen of accounts of things within his own knowledge he had little confidence in the relation of things which he had not seen. Except memoirs of person's own times biographical sketches by cotemporary writers: Voyages, and Travels, that have geographical exactness, there is little of the historical kind, in point of truth, before Roderick Random; or Gil Blas.

The Eastern nations in their tales, pretend to nothing but fiction. Nor is the story with them the less amusing because it is not true. Nor is the moral of it less impressive, because the actors never had existence. This, I have thought it sufficient to say, by way of introduction in this place.

CHAPTER I.

IF the memoir of the bog-trotter had not advanced the author to a professor's chair; it had, at least, procured him admission to a number of learned societies; abroad and at home: should a new edition of the work come to be published, it will take up, at least, two quarto pages, to contain the names of these member-ships, and honours.

But, notwithstanding the most pressing solicitations, he could not be brought to accept of an introduction to *the St. Tammany Society;* owing to the impression which he still retained of being an Indian chief, from which he had a narrow escape in the early part of this work. For unfortunately, it had been explained to him, that St. Tammany was an Indian Saint; and that the Society *met in a wigwam, and exchanged belts.* They offered to make him a Sachem; but all to no purpose; the idea of scalping, and tomhacking, hung still upon his mind. It was by compulsion, in France, that he took upon him the character of an Esquimaux, in the procession of Anacharsis Clootz.

The Captain presented himself to the Society, explaining these things; and that, in fact, such had been the alarm of the author of the memoir, at the propo-

sition of being made a member, that he had absconded a day or two before. The Society took his excuse ; and made the Captain, an honorary member in his place.

This was no object with the Captain, as he was a candidate for no office ; and could draw no advantage from a promiscuous association. Nor did he see that he could be of any use to mankind in this new capacity, as the propagation of the gospel in foreign parts, or amongst the savages, made no part of the duty. For though *Tammany* himself may have been a Saint, there are few of his disciples that can pretend to sanctity, superior to common christians. Or, at least, their piety consists more in contemplation, than in active charity, and practice. We hear of no missionaries from them, amongst the aborigines of the continent, as we should be led to expect from being called the St. Tammany Society. For it is to be presumed, that this Saint had been advanced into the calender from the propagation of the christian faith, as was St. Patrick ; St. Andrew, and others. And though, as these old societies, with that of St. George, St David, &c. the duty of evangelists may be excused, the countries to which they belong, being long since christianized ; yet the native Americans which St. Tammany represents, are whole nations of them *infidels*. The sons of St Tammany ought certainly to think a little of their brothers that are yet in blindness, and lend a hand to bring them to light. It is not understood, that even a *talk* has been held with a single nation of our Western Tribes ; though it could have cost but a few blankets, and a keg of rum to bring them together ; and in council a little wampum, and killikaneeque.

But our modern churches, have not the zeal of the primitive : or that zeal is directed to a different ob-

ject, *the building up the faith at home ;* and that in civil affairs, more than spiritual, doctrines, it is not the time now to go about "in sheepskins, and goat skins," to convert the heathen, to the gospel; but the citizens to vote for this or that candidate. The *Cincinnati being a mere secular society*, is excusable ; but the *Saint Societies*, would seem in this, to depart from the etimology of their denomination. I know that some remark on the word Cincinnatus ; and think that it ought to be pronounced as well as spelled, St. Cinnatus ; and in that case all would be on a footing. I have no objection, provided *that it makes no schism ;* for even the alteration of a name might make a schism. And a schism in a *society militant*, such as this is, might occasion a war of swords ; and not a war of words only. I will acknowledge that I would like to have the thing uniform, *St. Cinnatus*, with the rest. So that if it could be brought about without controversy, it would contribute to the unity of designation. But controversy, is, above all things to be avoided. And nothing is more apt to engender controversy, than small matters. Because, small things are more easily lost than great. Or; because it vexes a man more, to find his adversary boggle at a trifling matter of orthodoxy when he has swallowed the great articles of credence, than to have to pull him up, a cables length, to some broad notion, that separates opinion and belief. To apply it to the matter of the spelling; qui heret in litera, heret in *cortice*. That is, to give it in English, it may depend upon a single letter how to draw the *cork*. All consideration therefore ought to be sacrificed to good humour, and conviviality, and I would rather let the *heathen* name remain, than christian it at the expence of harmony, and concord. But to return from this digression, to the St. Tammany Society, of which I was speaking, and which had some time ago convened.

It was a new thing to the Captain, to take a seat in the wigwam, and to smoke the calumet of peace. But he was disappointed in his expectations, of seeing Indian manners, and customs introduced, and made a part of the ceremony. There was some talk of *brightening* the chain, and *burying the hatchet;* but he saw *no war-dance.* What is more, even the young warriors were destitute of the Indian dress. There was not a moccasin to be seen on the foot of any of them; not a breech-clout; nor had they even the natural; or rather, native brands and marks, of a true born Indian. No ear cut in ringlets; no broach in the nose; or tatooing on the breast. All was as smooth, and undisfigured. as the anglo Americans that inhabit our towns, and villages.

The Grand Sachem, made a speech to the Captain, not in Indian; but in German; which answered the end as well; for he did not understand it. But it was interpreted, and related to the proposition of making him a Chief, which he declined, professing that it was more his wish to remain a common Indian, than to be made even a half-king,* not having it in view to remain much in the nation; or attend the council fires a great deal. He contented himself with putting some queries, relative to the History of St. Tammany; of what nation he was? Did he belong to the North, or the South? The East, or the West? On what waters did he make his camp? How many moons ago did he live? Where did he hunt? Who converted him; or whom did he convert? Why take an Indian for the tutelary saint of the

* *A half-king, means double king, or king of two nations, who have him sheit between them.*

whites? Why not Columbus; or Cabot? Where did this saintship originate?

To these queries, the Chiefs could give no answer; nor is it of much moment whether they could or not. Some of them are not worth answering.

OBSERVATIONS.

AMONG the Romans, there was a kind creature, of the name of Appolo, who stood by people, and when they were doing wrong, would give them a twitch of the ear, to bid them stop.

Aurum velluit.

I cannot say, that I felt just such a twitch while I was writing the last Chapter; unless figuratively; meaning some little twitch of the mind, recollecting, and reflecting, that it might possibly give offence to public bodies, and societies, especially, the St. Tammany; and Cincinnati; though *none was intended.* But it is impossible to anticipate in all cases, the sensations of others. Things will give offence, that were meant to *inform, and assist*; or to please and divert. In the case of public bodies especially, no man knows, what may make an unfavourable impression. It is necessary; or, unavoidable as it might be translated; "that offences come; *but wo to him by whom they come.*" One would think that in a free country, there might be some little more moderation with regard to what is done, and said. It is a maxim in law, that words are to be construed, "mitior sensu;" or, in the milder sense. It is a Scriptural definition of charity, "that it is not easily provoked." Whereas, on the contrary an uncharitable disposition, is ready to misconstrue, and convert to an offence. A town, a

society, a public body, of any kind might be presumed to bear more than an individual, because, the offence being divided amongst a greater number; it can be but a little, that will be at the expense of any one person. If therefore, any son of St. Tammany, or St. Cincinnatus, should feel himself hurt by our lucubration, let him consider that it is better to laugh than be angry; and he will save himself, if he begins to laugh first. Though, after all, some will say, there is nothing to laugh at; and in this, they will be right. For at the most, it can only be *a smile*. It is a characteristic of the Comedy of Terence; that he never forces your laugh; but to smile only. That I take to be the criterion of a delicate and refined wit; and which was becoming the lepos, or humour of such men, as Lelius, and Scipio, who are thought to have formed his taste, and assisted him in his dramatic compositions. Yet I must confess, if I could reach it, I would like the broad laugh; but it is difficult to effect this, and not, at the same time, fall into buffoonery, and low humour. Laughing is certainly favourable to the lungs; and happy the man, whose imagination leads him to risible sensations, rather than, to melancholy.

All work, and no play, makes Jack a dull boy. But I have no idea of laughing, any more than of playing without having perfomed the necessary task of duty, or labour. An idle laughing fool, is contemptible and odious; and laughing too much is an extreme, which the wise will avoid. Take care not to laugh, when there is nothing to laugh at. I can always know a man's sense, by his song, his story, or his laugh. I will not say his temper; or principles; but certainly his share of understanding. The truth is, this composition has more for its object than merely to amuse though that is an object. But I doubt whether we shall receive credit for our good intentions. For truth lies in a

well ; and unless there is some one to draw the bucket, there is no getting it up

We have been often asked for a key to this work. Every man of sense has the key in his own pocket. His own feelings ; his own experience is the key. It is astonishing, with what avidity, we look for the application of satire which is general, and never had a prototype. But the fact is, that, in this work, the picture is taken from human nature, generally, and has no individual in view. It was never meant as a satire upon men ; but upon things. An easy way, to slur sentiments, under the guise of allegory ; which could not otherwise make their way to the ears of the curious. Can any man, suppose, upon reflection, that if ridicule was intended upon real persons, it would be conveyed in so bungling a manner that people would be at a loss to know, who was meant ? That is not the way, we fix our fools caps.

Let any man put it to himself, and say, would he wish to be of those that give pain by personal allusion, and abuse. Self-love, for a moment may relish the stricture ; but could never endure to be thought the author. In attacking reputation, there are two things to be considered, the manner, and the object. When the object is praise-worthy, there is an openness a franknes, and manliness of manner, which commands respect. But even where the object is a public good, the manner may excite contempt. Let our editors of news-papers, look to this, those of them who wish to be considered gentlemen ; such as have no character to lose, and never wish to have any, may take all liberties, and occupy their own grade

But as we were saying, public bodies, and societies of men, ought not to take offence easily ; nor resent violently. "As they are strong, be merciful." A single person is not on a footing with a great number.

He cannot withstand the whole, if they should take offence without reason; and he may be consciously scrupulous of fighting; or may be afraid to fight; which will answer the end just as well; or he may have the good sense and fortitude, to declare off; which by the bye requires more courage, *than the bulk of men possess.* It requires a courage *above all false opinion;* and the custom will never be put out of countenance, until some brave men set the example. There is nothing that a wise man need fear, but *dishonor*, founded on the charge of a *want of virtue;* on that *which all men, of all places, and of all times, will acknowledge to be disreputable.* Under this head, will not be found the refusal of a challenge. *Nothing can be great, the contempt of which is great,* Is it not great to despise prejudice, and false opinion? "He that ruleth his spirit, is greater than he that taketh a city:" but, he that is above the false sentiments of others, presents to me the image of a superior power, that ascends through the vapours of the atmosphere and dissipates the fog. The world is indebted to the man that refuses a challenge; *but who can owe any thing to him that accepts it; for he sanctions an unjust law?* Doubtless, the accepting of a challenge, is pardonable as a *weakness;* but still it is a weakness. The man is a hero, who can withstand unjust opinion. It requires more courage, than to fight duels. To sustain life, under certain circumstances, calls for more resolution than to *commit suicide.* Yet suicide is not reputable. Brutus in the schools condemned it; but at Philippi, adopted it. Because his courage failed him.

But cudgelling follows the refusal of a challenge. Not if there is instant notice given to a peace officer. But posting follows. Notice of that may be given

also, and a court, and jury brought to criticise upon the libel.

Why is it, that a public body is more apt to take offence, than an individual? Because, every one becomes of consequence in *proportion, as he is careful of the honor of the whole.* It is oftentimes, a mere matter of accident, whether the thing is well, or ill taken. If one should happen to call out, *that it is an insult*, another is unwilling to question it, lest he should be suspected of *incivism*, and lose his standing in society in general; or, in that to which he more particularly belongs. The *misconception* of one forces itself upon another; and *misconstruction* prevails. That which was the strongest proof of confidence in the *integrity, and justice of the body*, is viewed as distrust; and a concern for their honor, considered a *reproach.* The most respectful language termed *insolence.* Implicit submission attributed to *disrespect.* *Self-denial* overlooked, and *wantonness of insult* substituted in its place. This, all the offspring of *mistake; which it is the duty of the individual to remove.* But how can he speak *if his head is off, before he knows, that the offence is taken?* Protesting therefore that I mean no offence to either of these societies, or the individual members, in any thing I have said, I request them to take it in good part; or. if there should seem to be ground of affront, they will give me a hearing, and an opportunity to explain.

There is no anticipating absolutely, and to all extent, what a person might say for himself if he was heard. That presumption which had existed might be removed. His motives might appear laudable; or at the worst, originating in a pardonable weakness. Whether or not, the credit of the tribunal with the world, might render it expedient to observe these appear-

ances. They did it in France under the revolutionary government; and even the emperor, *seems to consider it as indispensible.* If therefore any thing in these chapters should unfortunately give umbrage to the sons of St. Tammany, or to the Cincinnati members, I pray *a citation*, and *demand a hearing.* I trust I shall be able to convince them that I am not deficient in respect for them individually, or as public bodies.

CHAPTER II.

THE Captain walking by himself, could not avoid reflecting on the nature of government ; a union of souls, and corporal force. It makes all the difference that we see between the savage, and civilized life. The plough, the pully, the anchor, and the potters wheel, are the offspring of government ; the loom, the anvil, and the press. But how difficult to link man with man ; how difficult to preserve a free government ! The easiest thing in the world, says the clown, *if the sage will only let it alone*. It is the philosopher that ruins all.

There is some foundation for this. A mere philosopher is but a fool, in matters of business. Even in speculation, he sometimes, imagines nonsense. Sir Thomas More's Utopia has become proverbial; Harrington's Oceana has become a model for no government. Locke's Project was tried in South Carolina. It was found wanting. Imagination, and experiment are distinct things. There is such a thing as *practical sense*. Do we not see instances of this every day? Men who can talk freely, but do nothing. They fail in every thing they attempt. There is too much vision mixed with the fact. Want of information of what has been ; the not examining the fitness and

congruity of things, leads to this. You see a tradesman framing a machine. A chip less, or more spoils the joint.

Where is the best account to be found of the Roman commonwealth? In Polibyus. In what did its excellence consist? In its balances. What invented these? The exigencies of the case. Some were adopted in the first instance; others as remedies to the mischiefs that occurred. Were the sages of any use here? A little. Sallust says, "considering the history of the Roman people, that the Gauls were before them in bravery, and the Greeks in eloquence;" yet Rome, has become the mistress of the world; I have found that it has been owing to a few great men that happened to arise in it. Were these men demagogues? Not in a bad sense of the word. They did not deceive the people for their own ends. How do demagogues deceive people? How do you catch a nag? You hold a bridle, in your left hand, behind your back; and a hat in your right, as if there were something in it, and cry cope. What do demagogues want by deceiving the people? To ride them. What do they pretend they have in the hat? oats, salt; any thing they find a horse likes.

How do you distinguish the demagogue from the patriot? The demagogue flatters the clown, and finds fault with the sage. The patriot, and the sage, unless you mean the vain philosopher, mean the same thing. The Jewish prophets were all of them sages. They were seers, or *men that saw far into things*. You will find they were no slouches at blaming the people. "My people Israel is destroyed for lack of knowledge." "*I am wounded* in the house of my friends." *This may be said of liberty, when republicans give it a stab.* The lamentations of Jeremiah are but the weepings of a patriot over the errors of the people.

Yet the people are always right, say the demagogues. I doubt that. *Tom fool*, may laugh at the expression, "save the people from themselves." Nevertheless, there is something in it. It is a scripture phrase, "go not with a multitude to do evil;" which would seem to imply that the multitude will sometimes do wrong.

Do the multitude invent arts? Or some individuals among them? It is sometimes a matter of accident. Sometimes a matter of genius. But it is but one out of a thousand that happens to hit upon it; or that has the invention to contrive. But government is an easy matter; *and has no wheels like a watch.* What is it that enables one man to see farther into things than another in matters of government? What is it that makes him a seer? Thinking, looking, examining. Does it come by inspiration? More by experience. What are the wheels in our government that are like to go first? *The Judiciary*, *the Senate*, *the Governor.* Is this the order in which they will go? Precisely. Does any man mean it? Not at all. How can it then happen? In the natural progress of things. Will one house become a tyrant? It will come to be the few; and the few were always tyrants. Will it be but a few in the house, that will govern? It will come to one at last. It will take fifty years to bring it to this. I do not say that it will be a hop-step, and jump; or a running leap, all at once.

But we have the press here. Suppose a leading print in the hands of a patriot. He will keep all right. Yes, provided he is a sage at the same time. That is, that his information on the nature of government, is equal to his patriotism; or that his passion does not betray him into error; the journal of L. Ami du peuple by Marat, was patriotic; but it ruined the republic. An uninformed inflammatory print, is a

corruptress of public opinion. It is the torch that sets Troy on fire. There is no Marat, amongst us, at the head of a Journal; but there may come to be. It is a difficult thing to trim the state vessel. The altering the stowage will put out of trim. The Hancock was taken, by altering the stowage. It destroyed the trim. Yet trimmers are unfavourably spoken of. That is, I presume, halting between two opinions. "Why halt ye between two opinions?" But preservers of the balance are not trimmers in this sense of the word.

But how is it that the people can do wrong, when they mean well? *An uninformed spirit of reform* may prevail. How can passion prevail? The axletree is heated, by the *nave*, and the hob is set on fire. The nave heats itself by its own motion; and fire is communicated to the whole carriage.

CHAPTER III.

THIS was the day of the fair held twice a year in the village. The people had come in and erected booths. The Captain took a walk to see the fair, and on the first stall he saw boxes. What are these, said the Captain? Cases for lawyers, said the Chapman. What will the lawyers do with these, said the Captain? Put them on their back-sides, said the Chapman. That will make them look like soldiers, with cartouch boxes, said the Captain. No matter for that, said the Chapman. A lawyer can no more move without *cases*, than a snail without a shell. They must have *authorities*.

They have too many sometimes, said the Captain, as I have heard the blind lawyer say; but your cases, or cartouch boxes, I presume, are meant as a burlesque. Not altogether, so, said the Chapman; but a little bordering on it. These boxes might answer the purpose, of carrying cases, to the court; but an honest man might put them to a better use: so I say no more, but sell my wares to the customer.

At the next stall was Tom the Tinker, with old kettles mended, and new ones for sale. Ay, Tom,

said the Captain, this is better than resisting laws ;* even the *excise* law.

I have found out a better way than resisting laws, now, said the Tinker.

What is that, said the Captain ?

Abolish the courts, and demolish the judges, and the laws will go of themselves.

Ah ! Tom, said the Captain, leave the public functionaries, to the public bodies ; you have nothing to do with them

But I should have something to do with them, said the Tinker, if I had a voice in a public body.

But you have not a voice, said the Captain.

But I may have, said the Tinker.

I would rather hear your voice in your shop, said the Captain ; and the sound of your hammer, on a coffee pot, or a tea kettle. You can patch a brass candle-stick, better than the state, yet, I take it, Tom.

Or solder spoons either, said Tom ; *but every thing must have a beginning.*

At the next stall was a hard-ware man ; in the next, a Potter with his jugs. Anacharsis, according to Diogenes Laertius, invented the anchor, and the Potters wheel ; he was a more useful man than him that invented fire-arms ; though it is a question with some, whether gunpowder has not rendered war less sanguinary.

A Toyman had his stall next. As the Captain was looking at his baubles, an accident happened on the other side the way. At a short turn, a cart had over-

* *The chief of the insurrection, in the western parts of Pennsylvania, in the year* 1794, *called himself*, Tom the Tinker.

set. It was light, and loaded with empty kegs. Nevertheless the driver wanted help to lift it up.

The Chapman, the Toyman, the Potter, the hard-ware man, and Tom the Tinker were endeavouring to assist. The Tinker and the hard-ware man, had set their shoulders, to the cart. They hove it up ; but, by too violent a push threw it to the other side. The Chapman, and Toyman, thought to set the matter right, and in the adverse direction, applied their force, being on the other side the cart ; and to do them justice, gave a good hoist ; but over-did the matter, as much as was done before ; for the cart came back and lay prostrate in the same direction, as at first.

The driver, in the mean time, was dissatisfied. Gentlemen, said he, do you mean to assist, or to injure me ? It may be sport to you ; but it is a loss to me, to have my cart broke, and my kegs staved. It is all wrong, said the Captain. Why not let the thing stand upon *the horizontal ?* None of your tricks upon travellers. Let the poor man's cart have fair play, and stand upon *its own bottom.*

Aye, aye, said a misanthrope ; this comes of bad doings. You must be going to the woods ; and disturbing innocent forests ; cutting down young trees ; making staves, and hooping kegs. This is just the way they make laws ; to hoop people as you would a barrel. It is right to overturn the cart, on account of the manufacture it carries.

Ah ; it is in this manner, said *a moral drawing man* ; that people overturn the state If the vehicle goes to the one side, it is the act of a patriot to set it right. But unskilful persons, pass the line of gravity ; so that as much mischief arises, from too much force as too little. Passing the line of gravitation, in erecting a body, is like *wounding a principle of the Constitution.* All errors of *expediency* may be amend-

ed ; but the violations of *principle* are vital, and terminate in death. Put that fellow in a pulpit, and he could preach, said a by-stander ; do you hear what a sermon, he makes upon a cart ? He could take a text ; Nebuchadnezzar, or Zerubabel ; and lengthen out a discourse for a fortnight.

In the meantime, the Captain, was almost carried off his feet, by a crowd of people going to see the learned pig. Has he the *tongues*, said Angus Sutherland, a Scotchman ? He has two, said a wag. The Hebrew, and the Erse, I trow, said the Scotchman. No ; the *squeel, and the gruntle*, I ween, said the drolling person. That is his *vernacular* said the Scotchman ; but I mean his acquired languages. I do not know that he has acquired any, said the drolling man ; but he is considerably perfected in those that he had before.

Weel, that is something, said Angus ; but he has got a smack o' the mathematics, I suppose. A little of algebra, said the wag ; the plus, and minus, he understands pretty well.

The conversation, was interrupted by the vociferation of a man, in soliloquy at a distance. He appeared to be in great agitation : clinching his fists, and striking them against each other. An abominable, slander, said he ; I a scholar ! I a learned man ! it is a falsehood. See me reading ! He never saw me read. I do not know a B. from a bull's foot. But this is the way to injure a man in his election. They report of me that I am a scholar ? It is a malicious fabrication. I can prove it false. It is a groundless insinuation. What a wicked world is this in which we live. I a scholar ! I am a son of a whore, if I ever opened a book in my life. O ! The calumny ; the malice of the report. All to destroy my election. Were you not seen carrying books, said a neighbour ?

Aye, said the distressed man; two books that a student had borrowed from a clergyman. But did I look into them? Did any man see me open the books? I will be sworn upon the evangelists: I will take my Bible oath, I never looked into them. I am innocent of letters as the child unborn. I am an illiterate man, God be praised, and free from the sin of learning, or any wicked art, as I hope to be saved; but here a report is raised up, that I have dealings with books, that I can read. O! The wickedness of this world? Is there no protection from slander, and bad report? God help me! Here I am, *an honest republican; a good citizen*, and yet it is reported of me, that I read books. O! The tongues of men! Who can stop reproach? I am ruined; I am undone; I shall lose my election; and the good will of all my neighbours, and the confidence of posterity. It is a dreadful thing that all the discretion of a man, cannot save him from evil-speaking, and defamation.

It is a strange contrast, thought the Captain, that *we admire learning in a pig; and undervalue it in a man*. The time was, when learning would save a man's neck; but now it endangers it. The neck verse, is reversed. That is, the effect of it. For the man that can read goes to the wall; not him that is ignorant. But *such are the revolutions of opinion*.

Of all things in the world, said a speculative philosopher, I should the least expect science in a pig; though the swinish multitude are not without good moral qualities; or the semblance of these, by propensitive instinct. The herd of deer avoid, or beat off the chaced, or wounded companion: but attack a hog in a gang, and the bristles of all are up, to make battle. There is an esprit de corps; or a principle of self-preservation. They do not wait until they are taken off one by one; but make a common cause in

the first instance. When the twenty-one deputies in the National Assembly of France, were denounced, there were, no doubt, a great number that saw the *injustice;* but not the *consequence.* They were willing that the bolt should pass by themselves, and were silent. But those that followed, soon felt the case to be their own, though they did not make it at first. The hogs have more sense, or *nature is more faithful than reason. A sailor on board a ship may not like his comrades;* but if they are charged with mutiny wrongfully, he is interested and will see it if he is wise; for it concerns him that they be dealt with fairly. For injustice to them, leads, to injustice to himself. *A third mate may dislike the first, or second,* or the Captain, himself, and have no objection to change them; but the mistake, or injustice of owners towards these, affects himself. *If one goes at this turn; another may go at the next; until all fall to unjust accusation. If the independence,* and safety of command is affected all officers suffer, and the service is injured. The picking off one at a time is politic in those that assail; but fatal to those that are assailed. *Polyphemus devoured but one of the soldiers of Ulysses in a day.* So that it does not follow, that hog, likes hog, more than sheep, likes sheep; or *that bristle is champion for bristle; when he comes to take his part; but* that, *the law of self-preservation, is better understood; or felt by this animal.* But as to teaching a pig any thing like human knowledge, though not a new thing, would seem to be of little use. Crows were taught to speak in the time of Augustus Cæsar, as we find from the story of the Cobler, and his crow. The Poet Virgil talks of cattle speaking;

———Pecudesque locutæ.

But this was a prodigy. Learning must go somewhere, as a river that sinks in one place rises in ano-

ther. If erudition is lost with men, it is well to find it with pigs. The *extraordinaries* are always pleasing. The intermediate grades of eloquence, from a Curran to a Parrot, are not worth marking.

A little learning is a dangerous thing.

Drink deep, or taste not the Pierian spring.

If a man cannot be a Pollyglotist, he may as well be a goose.

It was at a time things took this turn that Balaam's ass spoke. There was darkness all over Europe, for six or ten centuries, and little knowledge of the scientific kind to be found with man, fish, fowl or beast. A glare of light sprung up, and has prevailed awhile. Men of science have been in repute in monarchies; and in some republics: or at least science itself has had some quarter. But it is now scouted, and run down. The mild shade of the evening, the crepusculum approaches. A twilight, that the weakest eye can sustain. The bats will be out now. The owl can see as well as the cat. *If there is less light, there is more equality of vision;* which may be for the best.

That fellow could preach too, said a by-stander; and give him a text. What a speech he has made *upon a shoat!*

But looking up, they saw a man actually preaching; or something like it in a tavern door, with a newspaper in his hand. It was upon the subject of *oeconomies*. For now all is *oeconomy*. Not making; but *saving*. This discourse was a lecture, on the subtraction of aliment, and the making water go farther by boiling it. Saving the scales of fish; and the stem beaten out of flax; curtailing wages, and doing less work; all things by the minimum: he would have all Miscroscopes; no Telescopes. Minutiæ, Minu-

tiæ, Minutiæ ; nothing great, comprehensive ; or magnificent in his projects Themistocles knew how to make a great state, out of a small commonwealth. But was it by saving, or by gaining that he did it ? Was the sweep of his mind contracted ; or extensive ? Had the Zar of Muscovy a great heart ? Did he reduce mountains by particles ; or employ his mind upon hen coops ? These were questions, the *oeconomist* answered in the affirmative. But some doubted the orthodoxy of the doctrine, and left the congregation.

In a public house, was heard the music of a fiddle, and a bag-pipe. It was Duncan the quondam waiter of the Captain who had made a match of the bag-pipe against the violin. Play up, said Duncan to the piper ; now "*the Coming o the Camrons ;*" now *the Reels o' Bogie.* Play up ; I could dance amaist involuntarily ; as, I were bit by the Tarantula.

The Latin master was of the company ; and encouraged the contest, by the application of classic phrases ; such as,

Et vitula tu dignus, et hic——
——Boni quoniam convenimus ambo.
Tale duum carmen, divine poeta.——

But more noise ; though, perhaps less music was heard out of doors coming down the street A crowd of people ; boys and grown persons, were following O'Dell the revolutionist For Ca Ira, or the Marseilles hymn, he bawl'd out the following——

Down with the sessions, and down with the laws ;
They put me in mind of the school-master's taws.
There's nothing in nature that gives such disgust,
As force and compulsion to make a man just.

Hillelu ; Villelu, set me down aisy.
Hillelu ; Billelu, &c.

A lawyer's a liar ; old Sooty his father ;
He talks all day long, a mere jack-a-blather.
His books, and his papers may all go to hell,
And make speeches there, sings Lary O'Dell.
Hillelu, &c.

The state is a vessel, and hoop'd like a tub ;
And the adze of the cooper it goes dub, a dub.
But hooping and coopering, is fitting for fools ;
Away wid all learning, and shut up the schools.
Hillelu, &c.

A horse eats the less, when you cut off his tail ;
And chickens hatch faster, the thinner the shell,
A clerk in an office might do two things in one,
Hatch eggs while he sits, and writes all alone.
Hillelu, &c.

The song may be good, as to music, said the Captain ; but I do not like the sentiments : especially the concluding couplet. It seems to me, that oeconomy has become *parsimony ;* the oppsite extreme of prodigality ; or extravagance. The one is odious ; the other contemptible. All tax ; or no tax. There is no medium. And yet all that is excellent lies in the medium. But *no tax, and oeconomy* will as certainly destroy an administration, as all tax, and extravagance. *The meanness of starving offices ; establishments ; improvements, will attach disreputation to the agents ; and operate a removal from the body politic ; or the debilitation of the body politic itself.* But in all things there is a tendency to extremes. The popular mind does not easily arrest itself when descending upon an inclined plain of opinion. Popular ballads are an in-

dex of the public mind. Hence we see that an antipathy to laws, lawyers, and judges, is the ton at present and also that *oeconomy is the ruling passion of the time.* Yet in all these things, there may be an excess. *For the people are not always right.* Unless in the sense of the English law, that "The king can do no wrong." Doubtless whatever the people do is legally right; but yet not always politically right. For do we not find from the voice of history, that those men are thought to have deserved best of their country, who have occasionally withstood the intemperance of opinion. Self seekers only "are all things to all men." Three things are necessary to constitute a great man. Judgment, fortitude, and self-denial. It is a great thing to judge wisely. Perhaps this may be said to comprehend the whole. For judging wisely upon a large scale, will embrace fortitude, and self-denial. Hence, in the Scripture phrase, bad men are called *fools.* It is but cutting down the fruit tree, to hark in with a popular cry for the moment. All is gained for the present. But there is nothing for the next year. Such a man may get into a public body, but will not long retain his seat; or, if he does, he loses all, *in the esteem of the virtuous, and the wise.* But I doubt whether the people are so mad for oeconomy *It originates with those who are conscious to themselves that they cannot please them by great actions; and therefore attempt it by small.* The extreme has been that of unnecessary expenditure; and it is popular to call out economy; which the people-pleaser gets into his mouth and makes it the shibboleth of just politics. But the people-pleaser is not always the friend of the people. *Do we find him in war the best general who consults the ardour of his troops, wholly, and fights when they cry out for battle?* Pompey yielded to such an outcry, and lost the field of Pharsalia. A journal was pub-

lished in France, by Marat, under the direction, or, with the assistance of Robespierre, entitled "*L'ami du peuple.*" There could not be a more seducing title; and yet this very journal was the *foe of the people*. I have no doubt, but that Marat meant well to the people; but he had not an understanding above the public, and judgment to correct the errors of occasional opinion He was of the multitude himself, and did not overtop them *by having higher ground from whence to observe. He had not been a sage before he became a journalist.* Hence he denounced the Girondists the philosophers of the republic; Condorcet, and others who had laid the foundation of the revolution. He denounced them because they suggested a confederate republic, such as Montesquieu projected, and America has realized. Marat took up with the simple, *the one and indivisible*; the populace understood this, but not the complication, and it prevailed; but the republic went down.

OBSERVATIONS.

I never had a doubt with the Captain, but that the bulk of the jacobins in France meant well; even Marat and Robespierre considered themselves as denouncing, and trucidating only the enemies of the republic. What a delightful trait of virtue discovers itself in the behaviour of Peregrine, the brother of Robespierre, and proves that he thought his brother innocent. "*I am innocent; and my brother is as innocent as I am.*" Doubtless they were both innocent. Innocent of what? Why; of meaning ill. "The time shall come, when they that kill you, shall think they are doing God service." Peregrine, led the column with his drawn sword in his hand, that entered and retook Toulon. He threw himself into the denunciation. This ought to be a lesson to all republicans to have charity, for those that differ in opinion. Tiberus, and Caius Gracchus at Rome meant well; Agis, and Cleomines at Sparta the same; but they attempted a reform, well, in vision, and imagination, but beyond what was practicable or expedient. They fell victims to the not distinguishing the times; the advanced state of society, which did not comport *with the original simplicity of institutions.*

Marat the journalist and Robespierre were pushed gradually to blood; by the principle, which governed them, of taking it for granted that all who thought

differently upon a subject were traitors; and that *a majority of vote was the criterion of being right.* The *mountain*, the bulk of the national assembly, could not but be in their opinion, infallible. *The eternal mountain* at whose foot every one was disposed to place himself; the mountain on whose top were "thunders and lightnings, and a thick cloud;" but not a natural mountain of the earth, collecting refreshing showers, and from which descended streams. It was a mountain pregnant with subterranean fire. It burst, and exists a volcano to this day. *So much for the majority of a public body, being always right; and so much for a journalist meaning well, and yet destroying the republic.* It is a truth in nature and a maxim in philosophy "that from whence our greatest good springs, our greatest evils arise." A journalist of spirit is a desideratum in a revolution. But when the new island, or continent is thrown up from the bottom of the ocean; and the subterranean gas dissipated, why seek for a convulsion? But rather leave nature to renew herself with forests, and rivers, and perennial springs. But that activity which was useful in the first effort, is unwilling to be checked in the further employment; and under the idea of a *progressing reform*, turns upon the establishment which it has produced, and intending good, does harm. The men are denounced that mean as well as the journalist, and perhaps understand the game better than himself *though they differ in judgment on the move.* In a revolution, every man thinks he has done all. He knows only, or chiefly what he has done himself. Hence he is intolerant of the opinions of others, because he is ignorant of the services which are a proof of patriotism; and of the interest which is a pledge of fidelity. Fresh hands especially, are apt overdo the matter, as I have seen at the building of

a cabin in the western country. A strong man takes hold of the end of a log, and he lifts faster than the other. From the unskilfulness and inequality of his exertions, accidents happen. Prudent people do not like rash hands. States have been best built up, *by the wise as well as the honest.*

There are men that we dislike in office. All men approved Marius, says the historian Sallust, when he began to proscribe, now and then, a bad man; but they did not foresee what soon happened, that he did not stop short, but went on to proscribe the good. It is better to bear *an individual mischief, than a public inconvenience.* This is a maxim of the common law. That is, it is better to endure an evil in a particular case, *than to violate a general principle.* There ought to be constitutional ground, and a just cause to remove the obnoxious. It will not do even in Ireland, to hang a man for stealing cloth, *because he is a bad weaver.*

Where parties exist in a republic, that party will predominate eventually which pursues justice. A democratic party, will find its only security in this. "If these things are done in the green tree, what shall be done in the dry" If democracy is not just, what shall we expect from aristocracy, where the pride of purse, and pride of family, raises the head; swells the port; produces the strut, and all the undervaluing which the *few have for the many?* Aristocracy, which claims by hereditary right, the honours and emoluments of the commonwealth. Who does not dislike the presumption of the purse proud, and the pride of connections? And it is for that reason that I wish my fellow democrats, "my brethren according to the flesh," to do right; to shew their majesty, the nobility of their nature, *by their discrimination, and their sense of justice.* For I am a de-

mocrat, *if having no cousin, and no funds; and only to rely on my personal services, can make me one.* And I believe this is a pretty good pledge for democracy in any man Unless indeed. he should become a tool to those that have cousins and funds; and this he will not do if he has *pride.* He might be made a despot, but this can only be by the peoples destroying the essence of liberty, by pushing it to licentiousness. A despot is a spectre which rises chiefly from the marsh of *licentiousness. It was the jacobins made Bonaparte what he now is.*

CHAPTER IV.

A CAVALCADE was coming by, and upon enquiry it was found to be a crowd of people with a lawyer gagged. The knob in his mouth was rather long; and the poor man seemed to be in pain, by the extension of his jaws. He could not speak; which was a great *privation*, it being his daily employment, and the labour of his vocation. For the people thought he spoke too much, or at least was tedious in his speeches, and took up the time of the court, and juries, unnecessarily. But this was a new way of correcting amplification in an orator. It is true that things strike more than words, and the soldier, in a Roman assembly, who held up the stump of his arm lost in battle, pleaded more effectually, for his brother, the accused, than all the powers of eloquence. But it was a wicked thing, and entirely a la mob, to stretch the jaws so immeasurably. But the people will have their way; when they get a thing into their heads, there is no stopping them; especially on a fair day, such as this was. It is true the thing was illegal, and he could have his action, but they took their chance of that. The fact is, the tediousness of lawyers, in their harangues, is beyond bearing, and is enough to drive the people *to adjustment bills*, and

any thing, to get quit of them. The opener of a cause, must lead you into the whole transaction, instead of leaving it to the evidence to do it. He must give you a view of the whole scope of his case. This might be in a few words. But he wants to make a speech; a strong impression at the first. He must tell you how he means to draw up his evidence; *how to fight his men.* I should not like my adversary to know this; I would not tell the court, lest he should hear it. What would we think of a general who should mount the rostrum in the presence of the enemy, and explain the order of his battle? I love the art of managing a cause for its own sake, and I like to see it *scientifically won.* The less speaking, almost always, the better for a cause. There is such a thing, as "darkening counsel by words without knowledge." *Atticism is favourable to perception in the hearer.* We do not carry wheat to be ground before it is sifted of the chaff. Yet there may be an error on the other side. The declination to brevity may be too great. I am afraid to say much on this head, lest I should be understood to undervalue eloquence, and check it altogether. But certain it is, that the excess is on the side of quantity, in speaking at the bar at present. The juries feel it, and twist, and turn themselves into all shapes to avoid it. The courts feel it, and on many occasions, groan for deliverance.

What necessity on a point of law to read all cases, that have relation to the subject? To give a lecture on the elementary principle, and adduce cases, from the first decision to the last. It has been in vogue with the clergy, to begin with Genesis, and end with Revelations; to prove their doctrine as they go along, by an enchainment of texts; and to say the same thing over again, in many different words. But in demonstrating the forty-seventh proposition of the

first book of Euclid, we do not lay down every postulate, and axiom; nor do we go through the demonstration of every preceding problem, on which this is built; but we refer to such of them as enter into that which is before us. The demonstrations of Euclid are brief; and that consti utes their excellence. Ad eventum festinat. Here is no detour; or winding that does not accelerate, and force the conclusion.

In the mean time, the blind lawyer being at hand, delivering a lecture, had heard of the tribulation of his brother the gag'd lawyer; and for the honour of the profession, stretching out his hands to the people, had obtained his enlargement; and the removal of the peg. But it was said, this would be a warning to the advocate, to shorten his speeches for the future. The branks which had been upon his head; that is, the woodys which had tied the knob, were laid aside for another occasion.

CHAPTER V.

IT was a legal proceeding, in this village, that when any one was suspected of insanity, a commission of lunacy issued, and an enquiry was held to ascertain the fact. An inquisition was holden at this time on the body of a man, and it was the right of the defendant, when the evidence on the part of the commonwealth was closed, to be heard in his defence. On this occasion the accused person made use of his privilege.

THE MADMAN'S DEFENCE.

Fellow-Citizens ;

It is an awkward situation in which you see me placed, to be obliged to maintain that I am in my *right mind*, and not out of my senses. For even if I speak sense, you may attribute it to *a lucid interval*. It is not a difficult matter, to fix any imputation upon a man. It is only to follow it well up "Line upon line ; precept upon precept ; here a little and there a little" There is nothing but a man's own life, and a course of conduct, that can rebut the calumny. It is therefore in vain, to answer in gazettes, or to go out into the streets and call out *falsehood*. The more

pains you take to defend yourself, the more it is fixed upon you. For the bulk of mankind are on the side of the calumniator, and would rather have a thing true, than false. I believe there would be no better way, than for a man to join in, and slander himself, until the weight of obloquy, became so great, that the public would revolt, and from believing all, believe nothing. I have known this tried with success. But how can one rebut the imputation of madness? How disprove insanity? The highest excellence of understanding, and madness, like the two ends of a right line, turned to a circle, are said to come together.

Nullum magnum ingenium sine mensura dementiæ.

Great wits to madness sure are near allied;
And this partitions do the bounds divide.

Hence you will infer that I may appear rational, and quick of perception, and even just in judgment for a time, and yet be of a deranged intellect. What can I tell you, but that it is the malice of my enemies, that have devised this reproach, in order to hinder my advancement in state affairs? It is true there are some things in my habit, and manner that may have given colour to the charge; singularities. But a man of study, and abstract thought, will have *singularities*. Henry Fielding's Parson Adams; and Doctor Orkborn in Mrs. D' Arbray's Camilla, are examples of this. A man of books will be abstract, or absent in conversation, sometimes in business.

A man of books, said the Foreman of the Jury! a scholar! Ah! You are a scholar, are you. Ah, ha; that is enough; we want no more. If you are not a madman, you must be a *knave*, and that comes to the same thing. Say, gentlemen, shall we find him guilty? What say you, is he mad?

1. Juryman; he seems to be a *little cracked.*
2. He does not appear to be *right in his head.*
3. I cannot think him in his *right mind.*
4. He is *beside himself.*
5. Crazy.
6. Out of his reason.
7. Deranged.
8. Insane.
9. Mad.
10. Stark mad.
11. As mad as a March hare.
12 Fit for Bedlam.

Verdict—*Lunacy.*

The court to whom the inquisition was returned, thought it a hard case, as there was no other evidence than his own confession of being *addicted to books*, and gave leave to move an arrest of judgment; and ordered him before themselves for examination.

You are a man of books——

A little so.

What books have you read?

History, divinity.

What is the characteristic of history?

Fiction.

Of Novels?

Truth.

Of metaphysics?

Imagination.

Of natural philosophy?

Doubt.

What is the best lesson in moral philosophy?

To *expect no gratitude.*

What is the best qualification of a politician?

Honesty.

The next best?

Knowledge.

The next best?

Fortitude.

Who serves the people best?

Not always him *that pleases them most.*

It seems to the Court, said the Chief Justice, that the man is not altogether mad. He appears rational in some of his answers. We shall *advise upon it.*

OBSERVATIONS.

THERE has certainly been a great deal of *vain learning* in the world; and good natural sense has been undervalued. "Too much learning may make a man mad." It may give him a pride and vanity that unfits for the transaction of serious affairs. I would rather have a sober sedate man of common sense in public councils, than a visionary sciolist just from the academies. But solid science is ornamental, as well as useful in a government. Literary acquirements may be undervalued. A man may not be a *scholar* himself; but he may have a son that may.

"The child may rue that is unborn.'

A check given to the love of letters. *The offspring of a plain farmer may be a philosopher; a lawyer a judge.* Let not the simplest man therefore set light by *literary studies.* The bulk of our youths are sufficiently disposed to indolence of themselves. It requires all the incitement of honours and emoluments *to trim the midnight lamp. The rivalship of the states ought to be in their public foundations; in producing men of letters.* Popular distrust of them ought not to be promoted. The coxcomb; the macaroni springs up in the cities: The illiterate in the country village. Legal knowledge, and political learning, are the stamina of the constitution. The preservation of the constitution *is the stability of the state.*

Political studies ought to be the great object with the generous youth of a republic ; not for the sake of place or profit; but for the sake of judging right, and preserving the constitution inviolate. *Plutarch's lives is an admirable book for this purpose.* I should like to see an edition of 10,000 volumes bought up in every state. Plutarch was a lover of virtue, and his reflections are favourable to all that is great and good amongst men.

CHAPTER VI.

THE *madman* being out upon bail, walked about seemingly disconsolate; and fell in with a philanthropic person, who endeavoured to console him. You may think yourself fortunate, said he, that the charge had not been that you *were dead*. You might have been tumbled into a coffin, and buried before you were aware. When a public clamour is once raised, there is no resisting it. People will have the thing to be so, lest there should be no news. For the stagnation of *intelligence* is equal to the want of breath. I will venture to say that in three days, were I to undertake it, I could have it believed that the soul had gone out of your body, and that you were a walking mummy. It is only to insist upon it, and spread it, and a part will be credited; at first, and finally the whole. Thank fortune that you are upon your feet upon the earth. You are not the first that have been buried alive. On opening a coffin, the corpse has been found turn'd upon its face. In a tomb it has been found out of the coffin, and laying where it had wandered, thinking to get out.

Good heavens! said the madman, this is enough to turn one's brain indeed. I begin to feel my head swimming. Is it possible that without the least foun-

dation, such a proposition should come to be believed? Believed; ay; and people would be found to swear to it. You have no conception from how small beginnings great things arise.

Ingrediturque solo, & caput inter nubila condit.

You have seen a *wood-pecker*. It is astonishing how large a hole it makes with so small a beak. *It is owing to successive impressions*. Since common fame has begun with you, it is well that it has taken that turn; and made you *only mad*.

If that is the case, said the *man of books*, I ought to be reconciled. It might have been worse.

CHAPTER VII.

IT may seem strange that in the present current of prejudice against learning, and learned men, the schoolmaster had not been taken up, that spoke *Latin*. The fact was, the people did not know that it was Latin. Some took it for one language, and some for another. Thus, when he accosted persons in the street, with his puzzling phrases to translate, either on account of the peculiarity of the idiom, or the elipsis of the sentence, answers were given correspondent to the mistake. Thus:

Nil admirari————
I do not understand Spanish.
Simplex munditiis————
I never learned Welsh.
Ambiguoque vultu————
It is Greek to me.
Lacrimæ rerum————
I do not understand Dutch.
Mea Valentiam, si quis————
I have never been among the Indians.
————Esse Sua
Parati————
Potatoes are very good.

As for the blind lawyer, humanity interposed on his behalf. There is a generosity in the public mind that leads them to pass by the unfortunate. The sovereign people, like other sovereigns, do not make war upon *bats*. His lectures were short, and did not cost much. The loss of money, leaves a bite behind it worse than the sting of the wasp. It is this that excites a prejudice against lawyers; and yet people are, themselves, to blame. It is their own self-love, and unwillingness to think themselves in the wrong, that leads to law. Covetousness, deceives.

O, si angulus ille, mihi foret——

I must have that nuke of woods, that rins out there. It will mak a calf pasture.

I admit that *bar oratory* is carried to excess, and there is too much of it occasionally; it is valued by the quantity, more than the quality. But there is a great deal of excellent oratory to be found at the bar. There are stamina, though retrenchments might be made.

——Cum luculentus flueret,
Erat quod tollere posses.

The great defect is, the making many points; the cat that had but one way to escape, stood as good a chance, as the fox that had a thousand. Seize the turning point of the cause; if it can be done, and canvass that. The stroke of the eye, or coup d'eil, which characterizes the great general, is the being able to see, at once, the commanding point of the field: to abandon out posts, and concentrate his forces. Why need a man be taking time to shew, in how many ways, he can kill a squirrel? If he can take him down with a rifle ball, at once, it is enough.

Oratory has no where a finer province, than at the bar. In a deliberative assembly, there is no such

scope. Questions of finance have nothing to do with the heart. No man can be an orator at the bar, that has not a burning love of justice. For it is this gives the soul of oratory. An advocate thinking merely of the fee can be no orator. The soul must be expanded by the love of virtue.

In a deliberative assembly, it is difficult to be honest. *Party will not suffer it.* At the bar a man may be honest. For, in a cause he is not supposed to speak his own sentiments, but to present his side of the argument; and with truth in his statements. The attempting to hold what is not *tenable*, is a mark of *weakness*. Why then a prejudice against lawyers? I exclude attornies that are mere *money gatherers*; or professional men, that screw the needy, and grind the faces of the poor. Such there will always be. *But nature presents nothing without an allay of evil.*

As to the blind fiddler if it should be asked, why he was not accounted mad, it was because he was not *denounced*. There is a great deal in calling out *mad dog*. Besides, the insignificance of the scraper, protected him in the republic. He was so busy scraping, that he never *meddled with politics*, and this was a great help And as he played every tune to every one that asked, having no predilection for Langolee, above Etric Banks, he gave no offence.

——Nunquam contra torrentem, brachia,
Direxit, sic octaginta annos vidit in aula.

CHAPTER VIII.

A CATTLE driver had come from the *western settlements*, to exchange at the fair, stock, for salt, iron, and *women*. In barter for the last article, a cow was given for a girl. The settler went out, in the first instance, with a rifle, a hatchet, and a knapsack. Having fixed on a spot at a spring head, the next thing was to fall saplins and construct a hut. A small piece of ground was then cleared of the under-wood, and this formed into a brush fence to inclose it. He returned then to the interior of the country, and the next summer, going out with a hoe, and a stock of provisions, on a pack-horse, he began his cultivation. Having tamed a buffaloe, or got a cow from Padan Aram, he had in due time, milk in abundance. This put it into his head to get a *milk-maid;* in other words *a wife*. The traders in this article, usually chose those of the *less opulent*, whose dress answered all the ends of fashion without the affectation. The *elbows were bare*, because the sleeves did not reach; and the folding doors of the bosom were undrawn, because they had been always open. There was no occasion for flesh coloured pantaloons; for the pantaloons were the natural flesh itself, discovered through the rents of the muslin by the waving of the wind, like a light cloud upon a bed of air, in an April day.

When these virgins, "nothing loath," had been conducted to the bowers mantled with the natural vine, an offspring arose in a few years, such as that from whence the poets have drawn their best fictions. You will have no occasion to read Ovid's Metamorphosis, to have an image of Daphne, or Proserpine; Diana and her nymphs; the Dryads, Hamadryads, or other personages Just cross over into these new forests and there you have them in reality: maids bathing their snowy limbs in transparent streams; climbing the mountain top, collecting flowers, or gathering the berries of the wood Nature is here in her bloom; no decay or decrepitude. All fragrancy, health, and vivacity.

The stripling of these woods, is distinguished from the city beau; but it will not become me to say who has the advantage: whether the attitude of the presented rifle; or that of the segar in the teeth, is the most manly? Which looks best, the hunting shirt open at the neck, or the roll of muslin that covers it, and swells upon the chin? These are things to be canvassed by the curious I am of opinion, however, that it is better to be clear sighted than purblind, and to be able to see a deer in a thicket, than to have need of a glass, before the nose to direct the steps where there is nothing to stumble over.

It can be no slur upon the descendant of a western settler, that his mother was obtained in barter, with her hair descending to her girdle; or waving in ringlets on her shoulders; and the moisture of her eye brightened with a tear at the emigration; when he considers, that, in all times, and in all places, matrimony, to use the pun of Bishop Latimer, has been, in a great degree, *a matter of money;* and the consideration of the contract not always what the lawyers call *a good consideration,* that is affection; but a valu-

able one, *wealth*. Even if the circumstance should be considered as less honourable than *a marriage settlement with forms*, and perfect equality, in the transaction; it will be forgotten in a century or two, and it may come to be doubted *whether there was ever such a thing as barter at all.*

A noise of a different kind was now heard in another quarter. It was occasioned by a brick-bat which had fallen from the heavens, or the top of a chimney; or been thrown by some one, which is just as likely, and hit the stall of an honest Frenchman, who sold hair-powder. He construed it an insult, and insisted upon knowing, what no one could inform him of; or if they could, was not disposed to do it; that is, whence it came? Diable! diable! said he, in a rage. Si j'etois, d'en la France. If I vere in my own contree—Le miserable police. Dish contree has une ver bad police.

A l'en enfer,—Foutre, Foutre, Foutre!

Parce que je suis un jacobin. I be de jacobin. Dish ish de enrage. Vill kill all de honest republican.

Ah! Messieurs aristocrats; c'est que vous voulez me tuer—C'est une terrible conspiration. It ish van terrible conspiracy.

Civility to a foreigner induced the multitude to interpose, and endeavour to pacify. But strangers are jealous, and it was an hour before he could be persuaded by some that spoke the language, to believe that the thing might have been a matter of accident. He had threatened to make a representation to the government, and demand the interposition of the executive.

There is reason to think that he had dropped it; as we have seen no diplomatic correspondence on the subject.

A seller of patent medicines gave out that he had bought them from a chymist who had *invented a new vegetable*. Discovered, you mean, said a *naturalist*. No; *Invented*, said the patent doctor. He made it himself. I have some of the seeds in my pocket. Out of what did he make it? Hydrogen; oxygen; carbonic acid, and muriate of soda.

It is beyond my comprehension: what does the seed look like, said the naturalist? Coriander seed; or mustard, said the doctor. Here is a sample of it, giving him a grain or two.

And it is out of this you make your drops, said the naturalist? Certainly, said the doctor.

And a new seed will produce new drops, said the naturalist; and perform new cures in the world.

Undeubtedly, said the doctor: what use could there be in inventing it, if it did not?

I wish he would invent a *new planet*, said the naturalist.

That he could do readily enough, said the doctor; but there are more than are good already. They shed *malign influences*.

Aye, quo' the Scotchman; there is such a thing as "*evil stars*."

CHAPTER IX.

A COMPANY of village players were acting a pantomime. Harlequin represented a politician with the people on his back. Incurvated and groaning, he seemed to feel the pressure exceedingly.

I like burlesque very well, said a spectator. A man must imagine himself Atlas, forsooth, *with the heavens on his shoulders!* The people would walk on their feet if he would let them alone. What matters it, if by attempting to sustain them, he gets his rump broke?

That is all the thanks a patriot ever got, said a wise man.

Are not the people strong enough of themselves? said the spectator.

Strength of mind is improvable, said the wise man. Hence strength of mind differs more than strength of body. The aggregate of mind is one thing and a distinguished mind another. It is not so absurd, to suppose that one mind, in a particular case, may excel another. The social compact is a noble study. He who has devoted himself greatly to it, may be supposed to have made some progress. Why should he not have credit for his good intentions? Why make him the object of a public exhibition, because

he thinks himself the support of the community? Public spirit ought to be supported, and hints well meant, *well taken*. It is but an innocent hypocondriasis for a man to apprehend that he is doing good, by his lucubrations. That he is a pillar of the commonwealth.

See how he grins, and balances, said the spectator, speaking of the Harlequin, *because the people, in his opinion, are too much to the one side.*

It is an easy thing to turn even virtue into ridicule, said the wise man. But selfishness was never an amiable quality. And can there be a nobler effort of benevolence than to seek the public good? If one individual misses it; another hits; and the principle is salutary. It is not him that sails with the wind of popular opinion that always consults the interest of the populace. At the same time, *I am for keeping up the spirit of the people. It is the atmosphere of liberty.* And though this atmosphere *is the region of lightning and engenders storms, yet in it we breathe, and have our being.* But I speak of the angel that guides the hurricane; the good man of more temperate counsels, and who, from age, experience, or extent of thought, sees the consequence of things, and applies the prudence of restraint to the common mind in the violence of its emotions.

Why shall we censure such a man should he indulge the ambition of restraining the people; or rather of supporting them by counselling moderation. *He is sometimes the best friend that reproves.* A flatterer never was a friend. The caricature of a man having the people on his back, is an aristocratic fetch to discourage a love for the people, and a disposition to promote their real interest. This Harlequin is set on by the enemies of the people, and with a view to disparage republican exertions.

The spectator was silent.

While the Harlequin was acting *The Oppressed Politician*, as the pantomime was called, a pedlar had thrown himself into nearly a similar position; and though it may seem strange, an accidental conjunction of attitude. He had got his stall on his back; and gave out that he had taken an oath, not to set it down, until the people at the fair, had bought off all his goods. He was on his hands, and feet, and bellowing like the bull of Phalaris, affecting to be overcome, with the load of his pack. The people, out of humanity; credulous to his distress, came from every quarter to hear his complaint, and ease him of his goods. A partner was handing out the merchandize, and disposing to the customer, as fast as he could come at the articles. The back-bent man, in the mean time, in his inclined posture, was gathering up the dollars, thrown upon the ground, and putting them into his hat; not omitting, the groans necessary to attract a continuance of commiseration.

Christian people, said he, ease me of my wares, or I shall have to break my back, or *to break my oath.*

You had better break your oath than your back, said a man passing by; I have no money to throw away upon a rogue.

A rogue! Said the burthened man. If I were a rogue I could break my oath; but it is conscience keeps me here I cannot break my oath; and my back must be broke Help good people help; buy my wares and ease me of my load.

You son of a whore, said a rude man, cannot you stand up, and your pack will fall off?

Ay but it is my oath, said the Pedlar, that keeps it on, until all my goods be bought.

It ish a tam sheat, said an honest German; he ish a liar and a rogue. His back ish not broke more ash mine. His pack ish light ash a feather; wid shilks,

and such tings, dat weigh nothing. He is a tam sheat and a rogue.

I am muckle o' your way o' thinking, said Donald Bain, the weaver ; it is a' a stratagem, to get his hand in folks pockets, and wile awa' the penny. The deel an aith has he ta'en. It is a' a forgery.

It ish a devlish contrivance, said the German.

It is all de love of de monish, said a Jew. His conscience is monish ; I go anoder way to de exchange dish morning.

Nevertheless credulity prevailed ; and some continued to purchase.

If at the hundreth edition of this work, a century or two hence, it should be published with cuts, like Don Quixotte, and other books of an entertaining cast ; the figure of the Pedlar and his pack may afford a good drawing ; and the Harlequin, at the same time, with the people on his back.

The moral of the *distressed politician* is obvious to every one. It is natural for us to suppose that the world cannot do without us. O what will they do when we are gone, is the language of almost every man's heart in some way or other. I will venture to say there are chimney sweepers, who think that all will go to pot, when they drop off. Yet the world goes on its gudgeons, and all things that are therein revolve just as before !

What will we do for a general, said one to me, when Fayette deserted to Sedan.

What ? when Dumourier went off said another ?

He may be yet in the ranks said I, who will termi-

nate the revolution. It came nearly to pass ; for the Corsican was at that time but in the low grade of what we call a subaltern.

I have reflected with myself whence it is that men of slow minds, and moderate capacities, and with less zeal and perhaps less principle, execute offices, and sustain functions with less exception, than others of more vigour and exertion ; and I find it owing to a single secret ; laissez nous faire ; " let us be doing :" that is, let subordinates, do a great deal themselves. " He is right ;" it is well ; and if it is wrong, self-love saves the error : men had rather be suffered to be wrong, than to be set right against their wills. What errors of stupidity have I seen in life, in the small compass of my experience, and the sphere of my information ; and these errors the object of indulgence, because there was nothing said or done to wound the pride of the employer. This is a lesson to human pride and vanity. It is a lesson of prudence to the impetuous. The sun lets every planet take its course ; and so did General Washington. That was the happy faculty that made him popular.

His fort was, in some degree, the laissez nous faire; " The not doing too much."

Yet the lovers of an art, may be excused in being hurt when they see the artist err. The lovers of the public may deserve praise who wish to set the world right and do a little towards it. It is the error of vigorous minds, to say the least of it ; and oftentimes, the excess of virtue.

Sometimes, it is *an instinctive impulse of spirit that cannot be resisted* Alcibiades superseded in the command of the Athenian army, but remaining in the neighbourhood could not avoid pointing out to the generals who succeeded him and who were his enemies, the errors they were about to commit, and which ad-

vice, neglecting, they were overthrown with their forces, by the Lacedemonians under the conduct of Lysander, and disgraced. Moreau though superseded by the directory, and serving only as a volunteer, stepped forward to an unauthorized command, and saved the army on the defeat, and death of Joubert.

THE critic will say, wha use can there be in such representations? We do not write altogether for grave, or even grown men; our book is not for a day only. We mean it for the coming generation, as well as the present; and intending solid observations, *we interlard pleasantry to make the boys read.*

CHAPTER X.

CONTAINING EXPLANATIONS.

IN my observations on *the licence of the press* in the early pages of this book, it may be seen that I have had in view *personal*, and not *political* stricture. The difference of these I cannot so well express as in the words of the greatest orator in the knowledge of history, *Curran of Ireland*. I quote him to give myself an opportunity of saying how much I admire him. It is on *Finerty's* trial for a libel, that the following correct sentiments are beautifully expressed.

"Having stated to you gentlemen, the great and exclusive extent of your jurisdiction, I shall beg leave to suggest to you a distinction that will strike you at first sight; and that is the distinction between public animadversions upon the character of private individuals, and those which are written upon measures of government, and the persons who conduct them; the former may be called personal, and the latter political publications. No two things can be more different in their nature, nor, in the point of view in which they are to be looked on by a jury. The criminality of a merely personal libel, consists in this, that it tends to a breach of the peace; it tends to all the vindictive

paroxisms of exasperated vanity ; or to the deeper, and more deadly vengeance of irritated pride.——The truth is, few men see at once that they cannot be hurt so much as they think by the mere battery of a newspaper. They do not reflect, that every character has a natural station, from which it cannot be effectually degraded, and beyond which it cannot be raised by the bawlings of a news-hawker If it is wantonly aspersed, it is but for a season, and that a short one WHEN IT EMERGES LIKE THE MOON FROM BEHIND A PASSING CLOUD TO ITS ORIGINAL BRIGHTNESS. It is right however, that the law and that you, should hold the strictest hand over this kind of public animadversion that forces humility and innocence from their retreat into the glare of public view —That wounds and sacrifices that destroys the cordiality and peace of domestic life; and, that, without eradicating a single vice or a single folly, plants a thousand thorns in the human heart."

It will not give universal satisfaction to have introduced the name of Porcupine, or Calender. For though no man can respect these characters; yet, consciousness of having once favoured them from other motives, will touch the self-love of some, as it will be said the one is dead ; and the other run away, and it was not worth while, or perhaps liberal, to make use of their names even in a dramatic way ; or as a character in a fable. As to Porcupine, it was said at the time, that though occasionally coarse in his language, and gross in his reflections, yet such a spirit and style

of writing, was necessary to counteract the excess of democratic principles; that in fact, it did good. I doubt upon that head; or rather to the best of my judgment, it did harm to the cause which it was thought to serve. Indignation is insensibly transferred from the advocate to the cause.

It has been said, in the British Parliament, that "He deserved a statue of gold for the services rendered here" This is a great mistake. He did injury to the character of British manners and liberality. It produced something like a personal resentment against the whole nation whence such a writer came. An intemperate partizan in public or in private life, can never serve any cause.

But it was not with a view to pourtray this spectre of scurrility that the name is introduced; but because it suited to the counterpart, Polecat. I had thought of Panther; but Porcupine, could be drawn from real life, and was at hand.

I will not say, that before Porcupine came and since, there has not been a portion of scurrility in some gazettes, *unworthy of the press*. There has been too much; but I believe the example and the fate of this monster, and his successor Calender, has greatly contributed to reform the abuse. It is a check upon an editor, to be threatened, not with a prosecution; but to be called, *a Porcupine; or a Calender*.

It will be natural for a reader to apply in his own mind, the history of the village and its agitations, to the state where we live; and it will be asked, what ground is there for the idea, that here we talk of pull-

ing down churches; or burning colleges. There is no ground so far as respects churches; but it is introduced by way of illustration. What if any one should say, let us have no books, and no doctrines, but the ten commandments, the Lord's prayer, and the apostles creed? Give us the gospel in a narrow compass, and have no more preaching about it This would be no more than is said of the law; why cannot we have it in a pocket book, and let every man be his own lawyer? Our acts of assembly fill several folio volumes; and yet these are not the one thousandth part of our law. Why not, at least, put the acts of assembly in *a nut shell?* Ask our legislators. What else law have we but the acts of the legislative body? The law of nations forms a part of the *municipal law* of this state. This law is of great extent, and to be collected from many books The common law, before the revolution, *made a part of our law;* and by an act of our legislature of the 28th January, 1777, it is recognized and established to be a part of our law, and "*such of the statute laws of England as have heretofore been in force*" This law must be collected from commentaries. and decisions. It is of an immense extent. Because the relations of men, and the contracts of parties, are of an infinite variety. But how is Turkey governed? Do the mufti require such a multiplicity of rules? No, nor the cadi in Persia; because "having no law, they are a law unto themselves" There is no jury there. It must be a profession, a business of study to understand our law: we cannot therefore burn the books of law, or courthouses, any more than we can dispense with sermons and commentaries on the Bible; or pull down religious edifices.

I will not say, that people talk of burning colleges; but they do not talk much of building them up. The

constitution provides, Art. 7. "That the legislature shall, as soon as conveniently may be, provide by law for the establishment of schools throughout the state, in such manner that the poor may be taught gratis."

Sec. 11. "The arts and sciences shall be promoted in one or more seminaries of learning." We do not hear of much exertion on this head; either in the legislative body, or out of doors. But what is more exceptionable; or at least unfortunate, in the opinion of literary men, and perhaps in the opinion of some that have the misfortune not to be learned, is that learning does not seem to be in repute universally. The surest means in some places, as is said, to make your way to a public function, is to declaim against learning. It would be a libel on the body politic, if a state could be the subject of a libel, to say, or to insinuate that this is general. *But it is hard in some places.* I do not know that it is carried so far that a candidate for an office will affect not to be able to write, but make his mark; but it is not far from it; for he will take care to have it known, that he is no scholar; that he has had no dealings with the devil in this way; that he has kept himself all his life, thank God, free from the black art of letters; that he has nothing but the plain light of nature to go by, and therefore cannot be a rogue; that as for learned men that have sold themselves to the devil, they may go to their purchaser; he will have nothing to do with old nick or his agents. This is not just the language used; but it is the spirit of it. It may be a caricature, as we distort features to mark deformity more deformed. But the picture is not without some original of this drawing. To speak figuratively, as we say of fevers, it may be in low grounds, and about marshes that we have the indisposition; that is, *in the secluded parts of the country.* But so it is that it does exist.

It is true, the savages of our frontier country, and elsewhere, dispense with the use of letters; and at a treaty, Canajohalas and other chiefs make their marks. They are able counsellors, and bloody warriors, notwithstanding. The Little Turtle defeated General St. Clair, who is a man of genius, and literary education; and yet the Little Turtle can neither read nor write, any more than a wild turkey; or a water tarapin. But let it be considered, that the deliberations of the council-house, at the Miami towns, embrace but simple objects; and a man may throw a tomhawk, that holds a pen, but very aukwardly. So that there is nothing to be inferred from this, candidly speaking. I grant that Charlemagne, made his mark, by dipping his hand in ink, and placing it upon the parchment. It was his hand, no doubt; but it must have taken up a large portion of the vellum; and it would have saved expence, if he could have signed himself, in a smaller character. But what may pass, in an illiterate age, with an emperor, will not be so well received in a more enlightened period, and in the case of a common person.

It is not the want of learning that I consider as a defect; but the *contempt of it*. *A man of strong mind may do without it;* but he ought not to undervalue the assistance of it, in those who have but moderate parts to depend upon. It is a bad lesson to young people; who had better take a lesson from their books. At any rate, it is good to have the thing mixed; here a scholar and there an illiterate person; that the honesty of the one may correct the craft of the other.

How comes it that a lawyer in this state seems to be considered as a limb of satan? There is a great prejudice against them. It would seem to me that it is carried to an extreme. An advertisement appeared some years ago in a Philadelphia newspaper of a

ship just arrived with indented servants; tradesmen of all descriptions; carpenters, joiners, and *sawyers*. The error of the press had made it *lawyers*. It gave a general alarm; for the people thought, we had enough of them in this country already.

But if we have lawyers at all; it is certainly an advantage to have them well educated. Were it for nothing else but the credit of the thing, I should like to see an enlightened, and liberal bar in a country. It is thought that learning makes them make long speeches. If that should be made appear; I bar learning; for I like brevity: with Shakespeare, I think it "the soul of wit."

I attribute the making *long speeches*, to the taking *long notes*. When every thing is taken down, every thing must be answered, though it is not worth the answering. This draws replies long into the night; and we labour under the disadvantage of not having woolsacks to sleep upon as they have in England, while the council are fatiguing themselves; or at least the juries.

The prejudice against lawyers stands upon the ground with the prejudice against learning. *The majority are not lawyers, or learned men.* A justice of the peace is a deadly foe to a lawyer; for what the one loses, the other gets. The chancery jurisdiction of a justice is hewn out of the jurisdiction of the courts of law, and abridges the province of the lawyer. It is well if it does not edge out the trial by jury. How? This mode of trial is retained by the courts of law. But who are at the bottom of this hostility to the courts of law. I will not say the *holy army* of justices; though some may break a spear at it. I believe there are of them, that think their jurisdiction is sufficiently encreased; *but there are others who would not object to a little more.*

In China there are no courts of law or lawyers; all justices of the peace. They call them *Mandarins*. In capital cases, there is an appeal to the emperor. *There is no jury trial there.*

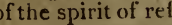
A limb of the law, is a good name for a lawyer; for we say a limb of Satan; and a lawyer in a *free country* is the next thing to it: a thorn in the flesh to buffet the people. There is freedom enough in the constitution; why need we be afraid of aristocracy in practice? Every man is brought up to the bull-ring in a court of law, be he rich or poor; but the scheriff, in Arabia, who is a justice of the peace; not like our sheriff here, though it is spelt the same nearly, can *summons no jury*; at least he takes care not to do it. But the governments of those countries, are arbitrary, not free. It is an astonishing thing to me, that *a free government, and the exclusion of lawyers, cannot well be reconciled.*

How can the overthrow of a judiciary tribunal, affect *liberty?* No otherwise than as it militates against a branch of the government. Take away a branch from a tree, and the shade is reduced. What is a branch that is born down by the rest? But suppose the judiciary branch goes; the legislative and executive remain. There are two sprigs to the legislative branch. Which is strongest? That of the *house of representatives.* Is there no danger of this out-growing the other two? There is half a sprig in the executive. But the great sprig of the house of representatives is "the rod of Aaron that will swallow up the other rods." There is a talk now of abolishing the senate. That will be talked of, unless it becomes an *enregistering office.* It is hoped that will never be. In this I allude not to any disposition that has yet shewn itself in the house of representatives; but to what I have heard broached out of doors.

Despotism is not a self-born thing. It has its origin in *first causes*. These not perceptible, like the gas that produces the yellow fever. Why call out against the fever? It is the gas that is the cause. Whence sprung the emperor that now *affects the French?* From the *mountain* of the national assembly. It is the madness of the people that makes emperors. They are not always aware when they are planting *serpents teeth*. Reflecting men saw the emperor, in the insurrections of Paris; in the revolutionary tribunals; in the dominancy of the clubs; in the deportations to Cayenne. Whether it springs from the seed, or grows from the plant; is oviparous, or viviparous, *despotism is not of a day*; it is of gradual increase. Will not the people give him credit that can point out to men, *where a germ of it exists*.

In what is hinted at, in several pages of the preceding chapter, of hostility to laws and a disposition to overthrow establishments, and judges, I have in view, not the proceedings of a public body, but the prejudices of the people. It is talk out of doors that I respect. And this is the fountain which is to be corrected. Representatives must yield to the prejudices of their constituents even contrary to their own judgment. It is therefore into this pool *that I cast my salt. It is to correct these waters that I write this book*. I have been in the legislature myself, and I know how a member must yield to clamours at home. For it comes within the spirit of the princple, *to obey instructions*.

In the song which I have put into the mouth of O'-Dell, I have nothing else in view but to give a picture of the excess of the spirit of reform. It is taken from the life; for though not in verse, yet I have heard similar sentiments expressed by the *uninformed*.



THE talk of *abolishing* the courts, and the judges, is a language which I put into the mouth of Tom the Tinker; yet is more general than is imagined. I am afraid it may affect ultimately the democratic interest; to which I feel myself attached; for I aver myself to be a democrat. No Perkin Warbeck, or Lambert Simnel; but a genuine Plantagenet. Hence my concern for their honour and existence, which can alone be supported by their wisdom, and their justice.

Judges are impeached, and violent persons will have them broke before they are tried. But accusation and condemnation are not the same thing. It is not on every bill that is found by a grand jury that there is not a defence.

There is nothing to be collected from any hints of mine that I arraign the justice or policy of the impeachment; much less, that I wish to see it quashed, or withdrawn. I have it only in view to arraign preconceived opinions, and *the forestalling the public judgment*.

Sublime is that tribunal that is to *judge judges*. The highest judicature of the body politic. It presents an awful, but majestic spectacle. Our senators, in this capacity are the representatives of heaven. I see them seated on a mount "fast by the throne of God;" the stream of justice issuing at their right

hand ; full and equal in its current ; crystal in its fountains, and giving vegetation to the groves and gardens on its borders : The stream of injustice at their left, bursting like a torrent of enflamed naptha, scorching and consuming all before it.

It lies with this sublime court to give its lessons of impartial justice to the subordinate judiciaries. I rejoice in this power of the constitution. I shall submit to its decisions.

CONCLUSION OF THIS VOLUME.

IT occurs to me, that I shall have all the lawyers on my back; because I have said to them, as was said to the Pharisees, "Use not vain repetitions as the heathens do: for they think they shall be heard for their much speaking." By the bye the heathen with us, that is, the savages of North America, are not long speakers. They call it a talk, it is true; but it is raised above a common conversation. And they are not tedious speakers; short, clear and pithy, are the characteristics of their eloquence.

The heathen—are the Gentile nations here meant, that bordered on Judea? or does it refer to the redundance of the Greek and Roman eloquence? The *loquacious Greek* was proverbial. When a language becomes copious, the speakers become verbose.

But the lawyers will say, "how can we help it? The client will have talk for his money. He purchases his plantation by the acre; he sells his wheat by the bushel; or if a shopkeeper in the city, he measures tape by the yard. Omnia deus dedit, says the Latin scholar, Numero, mensura, et pondere. He will have quantity, let what will go with the quality. For of that he is not a judge.

I admit it is difficult to get a man to understand that the cause is oftentimes won, with judgment and silence, like the game of chess. All depends upon the move. A client will say, you ought to refund me something; or take less than I promised. You had no trouble. Or he will go away, and say, lawyer M'Gonnicle took twenty dollars from me, and did not say a word.

He was six hours on his feet, says a man coming from the court. This sounds well and it looks as if the man was a great lawyer. So that self-preservation is at the bottom of long speaking. Or is it in accommodation to false opinion.

I admit something in all this. An advocate will occasionally find himself under the necessity of saying more than is necessary, in order to save appearances, and to satisfy his client who is not like the court and jury, weary of the harangue. But this is not the great cause of prolixity. It has a deeper root; it is a false stile of eloquence that has been introduced, and is become fashionable. I have asked chief justice Shippen, if he could recollect and trace, the origin and progress of it. Is it imported, or of domestic origin? He thinks it was introduced by John Dickinson, who was an agreeable, but a lengthy speaker. At nisi prius; or at bar in England, there was no such thing But whether there is or not; is of no account. The thing ought not to be. Because it will lead to the loss of the *jury trial.*

A lawyer must say every thing that his ingenuity can suggest on the subject. The strongest reasons are not sufficient; he must bring up the weaker. After throwing bombs, he must cast jackstones.

There is more sense in the common mind than is imagined; and close thought in strong words will be understood, and a few will suffice.

The bar of this state is said to excel in legal knowledge; but certainly is behind none in liberality of practice; and delicacy in argument. In practice, no catches, or as the common people call it, snap judgments; lying in wait at the docket; making surreptitious entries, and giving trouble to get slips set right. This the meanest lawyer can do. A rat can gnaw the bowstring of Philoctetes. The drawback in the opinion of foreigners, and the feelings of the people here, is the length of speeches.

I will not say that hence arises wholly the prejudice against lawyers. A prejudice against the liberal professions, exists in all countries; or they are made the subjects of invective from the occasional abuse of their privileges. "Woe unto you lawyers," is a scripture expression, and applies to the priests among the Jews who were the interpreters of the law of Moses. The physicians of all countries are said to kill people. And as to advocates they get no quarter in any country. Wits will exclaim even without ill will. Don Quevedo, a Spanish writer, in his vision of hell, tells us, that he observed a couple of men lying on their backs asleep in a corner, with the cobwebs grown across their mouths. He was told these were porters, and had been employed in carrying in lawyers, but there had been no occasion for their services, for a century past, these cattle had come so fast of themselves, that the carriers had laid themselves up, in the interval of business, to take a nap there.

As to the length of speaking, how can it be helped in advocates? Not by any act of the legislature, constitutionally, *at least in criminal cases;* for it is provided by the constitution that in criminal cases, the party shall be heard by himself and his counsel. But this provision was not meant to exclude the right in civil cases, which existed at the common law; but

because in capital cases, in the courts of criminal jurisdiction in England, counsel was not allowed to the accused, except on law points, arising on the trial. In civil cases the legislature may change the law or modify it; but I am not able to say, what regulation by an act of the legislature, might be expedient; or what practicable by the courts themselves. The safest and most easy remedy would be in the bar themselves; cultivating a stile of eloquence of greater brevity, and endeavouring to be more laconic in their speeches.

They are not aware that this length of speaking has become unsufferable. That resentment against the bar on that account, has been accumulating, and is now ready to overwhelm their existence. It is a great cause of that obloquy against the proceedings of the courts of justice, which is heard in this state. Delay is the effect; and delay is an obstruction of justice.

But delay is the cause of loss to the lawyer. It is a vulgar idea, but founded in mistake, that lawyers delay causes for the sake of fees. It is their interest to have speedy trials, as much as with merchants to have quick returns. It is the interest of the advocates that I endeavour to promote, in suggesting a reform in the length of pleadings. I am endeavouring, in the scouted language of some reasoners, "to save the lawyers from themselves." It is on this principle that I attempt to school them a little on the point of oratory at the bar.

Some one will say, that I but affect to treat them thus cavalierly. That it is like the case of an Indian in a skirmish, of which I have heard, on the west of the Ohio, who on his party being defeated, pursued one of his own people, with his tomhawk lifted up, ready to strike, and was mistaken for a volunteer.

In the heat of the affair seeing him alert, and pursuing, they thought the one before him was in good hands, and they let them both escape.

To apply the story. It may be thought that I affect to school the profession, to save it from arbitration laws, in the spirit of what has been called the *adjustment bill*. I am not one of those with whom it has been clear, that the adjustment bill passed into a law, would do any injury to lawyers. It might winnow off some of the chaff, but better corn would come to the mill. I have no idea that any thing can hurt the profession, but the overthrow of liberty. Council to advise, and an advocate to speak, will be always wanted where *the laws govern and not men*. Rules of property and contract in civil cases, and the principles of law in matters of life, liberty, and reputation, will always call for the assistance of the head, and the powers of speech, in a republic.

My concern in the case of innovations, doubtless meant for improvements, has been that the experiment would not shew wisdom in the framers; but, on the contrary, discredit the administration by which they had been introduced; or, if tolerated, and approved, would lead to aristocracy, and despotism in the end. This by gradations insensible, as opiates unnerve the constitution. It would take a volume to trace gradatim, how, and why this would be brought about; and after all it may be a spectre of the imagination. Let the wise determine. Were I a practising lawyer, as probably I may soon be, I should apprehend little from it on the score of profit, and loss to the profession. My idea is, that eighteen months would put an end to it, and it would, by that time, have sowed a pretty fruitful field of controversy, that would last as many years. As to the *constitution*, it

seems to be in vain to talk to the people about it, *when it is in the way of what they wish, and must have.*

But hinting as has been done with regard to the exuberance of oratory at the bar, it is to be taken subject to the exception of cases which cannot be considered in a few words; either where the facts are complicated, and the evidence extensive; or where a point of law embraces an extensive scope of argument. The elucidation in some cases, must be drawn from the law of nature; the law of nations; the municipal law. Statutes, commentaries, and decisions must be examined at full length.

It is not half a day, or a day, that will suffice always, to do justice to a question. The court themselves will stand in need of the careful preparation, and the minute investigation of the counsel. The bringing forward lucidly, and arguing a matter well, is a great help to a court. It is doing for them, what they would have to do for themselves, without their assistance.—The labour of the counsel is the ease of the court. Many a midnight thought is expended by the laborious lawyer, of which the court feels the benefit, in the light which he throws upon the subject of the litigation. It is the

——Rudis indigestaque moles,

of the unprepared that wastes the most time.

It is the highest effort of a strong mind to condense. Having taken a comprehensive view of the whole horizon of the subject, the man of talents *collects the principles that govern and illustrate the case.* To state and press these, is the effort of the great orator. To reduce to generals, and bring forward the result.

But in order to speak short upon any subject——*think long.* Much reflection is the secret of all that is excellent in oratory. No man that speaks just enough,

and no more, ever wearies those that hear him. And that is enough which exhausts the subject, before the patience of the auditory.

There is such a thing as alarming *the patience.* A speaker branches out his subject. It is all proper that this should be done in his own mind. It is necessary that he should have a system of argument, and a certain order of arrangement. But I do not approve of an explanation of this. I remember the alarm which I have felt listening to a speaker in the pulpit, when he has spread out the table of his doctrine into heads and sections. When he had done with the first, that is well, thought I. But then, there is the second head ; will he be as long upon that ? Now if he had said, This point of doctrine arises from the text, I would have heard it out without fore-casting in my mind that the ulterior divisions were to come yet. It is not in the language of nature to have such compartments. It is well enough in a book of didactic dissertation. For there is one can lay down the volume, and amuse himself otherwise when he is weary. The Indian in his talk has an order in his mind, and pursues it by the wampum belt, as the Catholic says his prayer by his beads. It is not the secret of persuasion, which does not steal upon the heart ; and whatever the effect in matters of the judgment, may be the annunciation of method ; it is unfavourable to all that interests the heart, and governs the imagination. You will see no such thing in Demosthenes or Curran. Cicero has something of it, but I always thought it a blemish. Ars est celare artem.

There is no such thing in the works of nature. Artificial gardens sometimes present that view, but these are not in the best taste.

The hills and mountains, vales, and extensive plains are dispersed with a beautiful variety. The stars of

the heavens are not at marked distances. There is a concealed regularity, order and proportion in all that affects. The mind remains cold where there is nothing that surprises and comes unexpectedly upon it.

END OF THE FIRST VOLUME.